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TITLE 19—CUSTOMS DUTIES

Chapter II—United States Tariff Commission

PART 207—INVESTIGATIONS OF INJURY TO DOMESTIC PRODUCERS RESULTING FROM TRADE AGREEMENT CONCESSIONS

RULES OF PRACTICE AND PROCEDURE FOR APPLICATIONS FOR INVESTIGATIONS

Applications for investigations under section 7 (a) of the Trade Agreements Extension Act of 1951 (Pub. Law 50, 82d Cong.) shall be subject to the rules now set forth in Part 207 of the rules of practice and procedure of the United States Tariff Commission (19 CFR, 1950 Supp., Part 207), except that 15 clear copies of the application shall be submitted instead of 5 copies as specified in such rules.

[SEAL] OSCAR B. RYDER,
Chairman,
United States Tariff Commission.

[F. R. Doc. 51-7106; Filed, June 20, 1951; 8:53 a. m.]

TITLE 24—HOUSING AND HOUSING CREDIT

Chapter VIII—Office of Housing Expediter

[Controlled Housing Rent Reg., Amdt. 382]

[Controlled Rooms in Rooming Houses and Other Establishments Rent Reg., Amdt. 377]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

CERTAIN STATES

Amendment 382 to the Controlled Housing Rent Regulation (§§ 825.1 to 825.12) and Amendment 377 to the Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments (§§ 825.81 to 825.92). Said regulations are amended in the following respects:

1. Schedule A, Item 35a, is amended to describe the counties in the Defense-Rental Area as follows:

San Joaquin County, except the Cities of Manteca and Stockton, and all unincorporated localities.

This decontrols the City of Manteca in San Joaquin County, California, a portion of the Sacramento, California, Defense-Rental Area.

2. Schedule A, Item 70, is amended to describe the counties in the Defense-Rental Area as follows:

De Kalb County, except the Cities of Decatur and Pine Lake; Clayton County, except the City of Forest Park and that portion of the City of College Park located therein; Fulton County, except the Cities of Fairburn, East Point and Hapeville, that portion of the City of College Park located therein, the Town of Union City and that portion of the Town of Palmetto located therein.

This decontrols (1) all unincorporated localities in Cobb County, Georgia, a portion of the Atlanta, Georgia, Defense-Rental Area, based on a resolution submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended, and (2) the remaining incorporated localities in said Cobb County, on the Housing Expediter's own initiative in accordance with section 204 (c) of said act.

3. Schedule A, Item 83, is amended to describe the counties in the Defense-Rental Area as follows:

Cook County, except the Cities of Blue Island, Calumet City, Des Plaines and Park Ridge, and the Villages of Kenilworth, Lansing, Mount Prospect, Oak Forest, Palatine, Riverdale, Westchester, Wilmette, and Winnetka; Du Page County; Kane County; and Lake County, except the City of Lake Forest.

This decontrols the Villages of Kenilworth and Oak Forest in Cook County, Illinois, portions of the Chicago, Illinois, Defense-Rental Area.

4. Schedule A, Item 89, is amended to describe the counties in the Defense-Rental Area as follows:

Rock Island County, except the Cities of Moline and Rock Island, and all unincorporated localities.

Scott County, except the City of Davenport, the Towns of Buffalo, Le Claire, Long Grove, Princeton and Walcott, and all unincorporated localities.

This decontrols the City of Moline in Rock Island County, Illinois, a portion of the Quad Cities, Illinois, Defense-Rental Area.

5. Schedule A, Item 143, is amended to describe the counties in the Defense-Rental Area as follows:

Barnstable County, except the Towns of Brewster, Eastham and Orleans; Bristol County; Middlesex County; Norfolk County;

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FEDERAL REGISTER

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CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

CODIFICATION GUIDE—Con.

Suffolk County; and in Plymouth County the City of Brockton, and the Towns of Abington, Bridgewater, East Bridgewater, Hingham, Mattapoiset, Middleboro, Plymouth, Rockland, West Bridgewater and Whitman.

This decontrols the Towns of Brewster, Eastham and Orleans in Barnstable County, Massachusetts, portions of the Eastern Massachusetts Defense-Rental Area on the Housing Expediter's own initiative in accordance with section 204 (c) of the Housing and Rent Act of 1947, as amended.

6. Schedule A, Item 149, is amended to describe the counties in the Defense-Rental Area as follows:

Oakland County, except (i) the Townships of Addison, Avon, Bloomfield, Brandon, Commerce, Groveland, Highland, Holly, Independence, Milford, Novi, Oakland, Orion, Oxford, Rose, Springfield, Waterford and West Bloomfield, (ii) the Villages of Clarkston, Holly, Lake Orion, Leonard, Milford, Ortonville, Oxford, Rochester and that portion of Northville located in Oakland County, and (iii) the Cities of Birmingham, Bloomfield Hills, Farmington, Ferndale, Hazel Park, Pontiac, Royal Oak, South Lyon and Sylvan Lake; Wayne County, except (i) the Cities of Grosse Pointe, Grosse Pointe Farms, Grosse Pointe Park, Grosse Pointe Woods, Plymouth and Roosevelt Park, (ii) the Villages of Grosse Pointe Shores, Trenton and Wayne, and (iii) that portion of the Village of Northville located in Wayne County; and Macomb County, except the City of Mount Clemens, and the Townships of Armada, Bruce, Lenox, Macomb, Ray, Richmond, Shelby, Sterling and Washington.

In Washtenaw County, the Township of Ann Arbor and the City of Ann Arbor.

This decontrols the Cities of Grosse Pointe Park and Grosse Pointe Woods in Wayne County, Michigan, portions of the Detroit, Michigan, Defense-Rental Area.

7. Schedule A, Item 267, is amended to describe the counties in the Defense-Rental Area as follows:

Allegheny County, except the Boroughs of Bethel and Elizabeth, and the Townships of Crescent and Mount Lebanon; Armstrong County; Beaver County; Lawrence County, except the Borough of New Wilmington; Westmoreland County; in Butler County, the City of Butler; Fayette County, except the Townships of Henry Clay, Stewart and Wharton; in Greene County, the Townships of Cumberland, Dunkard, Franklin, Jefferson, Monongahela and Morgan; and Washington County, except the Townships of East Finley, Morris, South Franklin and West Finley.

This decontrols the Borough of New Wilmington in Lawrence County, Pennsylvania, a portion of the Pittsburgh, Pennsylvania, Defense-Rental Area.

All decontrols effected by this amendment, except those in items 2 and 5 thereof, are based entirely on section 204 (j) (3) of the Housing and Rent Act of 1947, as amended.

(Sec. 204 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

This amendment shall become effective June 21, 1951.

Issued this 18th day of June 1951.

ED. DUPREE,
Acting Housing Expediter.

[F. R. Doc. 51–7119; Filed, June 20, 1951; 8:56 a. m.]

TITLE 29—LABOR

Chapter V—Wage and Hour Division, Department of Labor

PART 522—EMPLOYMENT OF LEARNERS IN KNITTED WEAR INDUSTRY

Pursuant to the Administrative Procedure Act (60 Stat. 237; 5 U. S. C., Sup. 1001) notice was published in the FEDERAL REGISTER on May 22, 1951 (16 F. R. 4764) of the Acting Administrator's proposed decision to amend the regulations contained in this part relating to the knitted wear industry (§§ 522.68 to 522.79) so as to clarify the definition of the industry and of the phrase "experienced worker" included therein.

As provided in the notice interested parties were given an opportunity to submit data, views, or arguments pertaining to this matter within 15 days from the date of publication of the notice. Following such notice comments were received from the Underwear Institute and the National Knitted Outerwear Association. After consideration of such comments I have determined that the definition of experienced worker contained in the proposed paragraph (b) of § 522.77 be limited to persons employed in manufacture of men's and boys' woven underwear. Since it was my intention to so limit these amendments, a change in wording of proposed § 522.77 (b) is necessary.

Therefore, §§ 522.77 and 522.79 are revised to read as set forth in the notice of proposed rule making published in the FEDERAL REGISTER on May 22, 1951 (16 F. R. 4764) except that the proposed paragraph (b) of proposed § 522.77 is changed.

1. Amend § 522.77 to read as follows:

§ 522.77 *Definition of "experienced worker".* For the purposes of §§ 522.68 to 522.79 an experienced worker is defined as follows:

(a) Any person who has been employed within the previous two years in the knitted wear industry for 480 hours or more in the occupation of machine knitter; or 320 hours or more in the occupations of machine stitcher or presser; or 240 hours or more in the occupations of winder, dyeing machine operator, brush machine operator or dryer operator; or

(b) Any person employed in the manufacturing of men's and boys' underwear from any woven fabric who has been employed within the previous two years in the single pants, shirts and allied garments, women's apparel, sportswear and other odd outerwear, rainwear, robes, and leather and sheep-lined garments divisions of the apparel industry, as defined in § 522.161, for 320 hours or more in the occupations of machine stitcher or presser.

2. Amend § 522.79 to read as follows:

§ 522.79 *Definition of the "knitted wear industry".* For the purposes of §§ 522.68 to 522.79 the knitted wear industry is defined as follows:

(a) The manufacturing, dyeing or other finishing of any knitted fabric made from any yarn or mixture of yarns, except fulled suitings, coatings, topcoatings, or overcoatings containing more than 25 percent, by weight, of wool or animal fiber other than silk.

(b) The manufacturing, dyeing or other finishing, from any yarn or mixture of yarns, or from purchased knitted fabric, of any of the following products:

(1) Knitted garments or garment accessories for use as underwear, sleeping wear, or negligees.

(2) Fleece-lined garments; excluding, however, all fleece-lined garments made from purchased knitted fabric, except fabric containing cotton only or containing any mixture of cotton and not more than 25 percent, by weight, of wool or animal fiber other than silk.

(3) Knitted towels or cloths.

(c) Knitted shirts of cotton or any other fiber or any mixture of fibers which have been manufactured in the same establishment as that where the knitting process is performed.

(d) The manufacturing of men's and boys' underwear from any woven fabric.

(e) The knitting from any yarn or mixture of yarns and the further manufacturing, dyeing or other finishing of knitted garments, knitted garment sections, or knitted garment accessories for use as external apparel or covering which are partially or completely manufactured in the same establishment as that where the knitting process is performed; and the manufacture of bathing suits from any purchased fabric: *Provided,* That the manufacturing, dyeing or other finishing of gloves, mittens, and hosiery shall not be included.

The above amendments shall become effective July 23, 1951.

(Sec. 14, 52 Stat. 1068; 29 U. S. C. 214)

Signed at Washington, D. C., this 14th day of June 1951.

WM. R. MCCOMB,
Administrator, Wage and Hour and Public Contracts Divisions.

[F. R. Doc. 51–7088; Filed, June 20, 1951; 8:45 a. m.]

PART 681—HOMEWORKERS IN INDUSTRIES IN PUERTO RICO OTHER THAN NEEDLEWORK INDUSTRIES

ESTABLISHMENT OF MINIMUM PIECE RATE

On May 25, 1951, notice was published in the FEDERAL REGISTER (16 F. R. 4944) that the Acting Administrator of the Wage and Hour Division, United States Department of Labor, proposed to establish a minimum piece rate of 32 cents per gross for homeworkers in Puerto Rico for the hand-braiding of leather buttons, 24 to 30 ligne, by the following method: Tying a braided knot around the tip of a finger, bringing the knot into a rounded button shape by pulling at the ends of the strip, cutting a shank at one end of the strip with a hand-cutting machine, trimming both ends by cutting the excess leather off and inserting the ends into the knot. The notice stated that it is not intended by this action to revoke or change in any way the minimum piece rate of 53⅓ cents per gross established by an order dated August 8, 1950 (15 F. R. 5155) for the hand-braiding of leather buttons, 24 to 30 ligne, by another method specified in said order.

Interested persons were afforded an opportunity to submit data, views, or arguments pertaining thereto within 15 days from the date of publication of the notice. A letter in opposition to the establishment of this minimum piece rate was received from the Dugan Manufacturing Company. The contents of this letter have been considered, but I find that the objections contained therein do not warrant rejection of the proposed minimum piece rate. Time tests by the Wage and Hour Division of homeworkers engaged in the hand-braiding operations described in this order indicate that establishment of a 32 cents per gross minimum piece rate for homeworkers is commensurate with and should yield to the worker of ordinary skill a minimum wage rate of 40 cents per hour.

Accordingly, pursuant to the authority under section 6 (a) (2) of the Fair Labor Standards Act, as amended (sec. 6 (a) (2), 63 Stat. 912; 29 U. S. C. 206 (a) (2)), a minimum piece rate of 32 cents per gross for hand-braiding of leather buttons, 24 to 30 ligne, by homeworkers in Puerto Rico is hereby established for the operations as defined above. This order is to become effective July 23, 1951.

(Sec. 6, 52 Stat. 1062, as amended; 29 U. S. C. and Sup. 206)

Signed at Washington, D. C., this 14th day of June 1951.

WM. R. MCCOMB,
Administrator,
Wage and Hour Division.

[F. R. Doc. 51-7108; Filed, June 20, 1951; 8:53 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[General Interpretation 1]

GEN. INT. 1—ASSESSMENT OF DAMAGES FOR DEFAULTS ON COMMODITY EXCHANGES

Several commodity exchanges have requested an opinion from the Office of Price Stabilization as to whether, in the event there has been default on a futures contract, the exchange may (1) legally establish a settlement price in excess of the applicable spot ceiling price, and (2) assess a penalty for the default where so required by the rules of the exchange.

It is the opinion of the Chief Counsel of the Office of Price Stabilization that section 707 of the Defense Production Act of 1950 precludes the establishment of a settlement price for default on futures contracts in excess of the spot ceiling price for the commodity involved. The legal maximum market value for the commodity is fixed by ceiling price regulations. To require a defaulting seller to pay damages based on a market value in excess of the ceiling price would be to assume as a basis for settlement an illegal market price.

If the rules of an exchange in effect at the time the contract was entered into require the assessment of a predetermined amount as a penalty for defaulted futures contracts, the assessment of such a penalty would not be in contravention of the Defense Production Act or of applicable price ceiling regulations. Such penalties are not based on any assumption concerning the market price or the ceiling price, but are intended to promote the integrity of exchange contracts, and are agreed upon as penalties for failure to deliver. They are not a violation of the letter or spirit of any ceiling price regulation, unless the regulation expressly so provides.

HAROLD LEVENTHAL,
Chief Counsel,
Office of Price Stabilization.

JUNE 19, 1951.

[F. R. Doc. 51-7169; Filed, June 19, 1951; 4:39 p. m.]

[CPR 37, Interpretations 1-2]

CPR 37—PRIMARY COTTON TEXTILE MANUFACTURERS' REGULATION

INT. 1—DETERMINATION OF COST INCREASES OR DECREASES FOR COTTON

Section 2 (c) (1) of this regulation provides that in determining a cost increase or decrease for cotton, a manufacturer must find the physical amount of cotton used in a unit of the yarn or fabric to be priced. He then is to multiply that amount by the increases or decreases in the unit cost of cotton between the published average of the spot prices in the 10 "designated markets" on the date of his base period price adjusted for the grade and staple he was then using, and March 15, 1951, adjusted for the grade and staple he is currently using. The date of his base period price is the date of the contract, written offer, or price list from which he found his base period price, in accordance with section 2 (b), for the yarn or fabric he is pricing.

(a) In adjusting the unit cost of cotton, for the grade and staple used, for both the date of his base period price and March 15, 1951, a manufacturer must apply to the published average spot price for middling 15/16" cotton the published average premium or discount, for the grade and staple used, in the 10 "designated markets" for such dates.

(b) If a manufacturer adjusts the unit cost of cotton, on the date of his base period price or on March 15, 1951, for staple lengths of 1 3/32" through 1¼", the premium or discount to be applied must be the premium or discount published for the Memphis Exchange for the date of his base period price or March 15, 1951.

(c) If a manufacturer adjusts the unit cost of cotton, for the date of his base period price or March 15, 1951, for staple lengths of under 13/16", the premium or discount to be applied is the published average premium or discount for 13/16" in the 10 "designated markets" for the date of his base period price or March 15, 1951.

(d) In determining the published average premium or discount for a staple length of 13/16", a manufacturer must use the published average premium or discount for 13/16" in the 10 "designated markets", even though the published "10 market average" may represent an average of premiums or discounts for only those of the 10 "designated markets" which quote premiums or discounts for a staple length of 13/16".

(e) Where a manufacturer has bought cotton on the basis of a type or description other than a grade set forth in the Official Cotton Standards of the United States he should compute the cost increase or decrease for such cotton in the following manner:

(1) Where the type or description he bought was equal to a grade set forth in the Official Cotton Standards of the United States, he should use such equal official standard grade as the basis for his computations;

(2) Where the type or description he bought was above one grade set forth in the Official Cotton Standards of the United States, and below another, he should use the lower of the two official standard grades as the basis for his computation.

(f) The term cotton does not include loose and irregular cotton or spinnable cotton waste such as combing waste, white spinner waste, card room roving, top strip, vacuum strip, and card fly. Such items are "manufacturing materials", and cost increases or decreases are to be computed for them under section 2 (c) (3).

INT. 2—PUBLISHED PRICES AND PREMIUMS AND DISCOUNTS

The published average of the spot prices, and the published average premium or discount for the grade and staple used, in the 10 "designated markets", referred to in Ceiling Price Regulation 37, are to be obtained from the "Cotton Quotations—Ten Designated Spot Markets" showing the prices for basis of M 15/16", and premiums and discounts for other grades and staple lengths, in the 10 designated spot markets, published daily by the United States Department of Agriculture, Pro-

duction and Marketing Administration—Cotton Branch, Memphis, Tennessee.

(Sec. 704, Pub. Law 774, 81st Cong.)

HAROLD LEVENTHAL,
Chief Counsel.

JUNE 21, 1951.

[F. R. Doc. 51-7191; Filed, June 20, 1951; 11:36 a. m.]

[Ceiling Price Regulation 41, Amendment 1]

CPR 41—SHOE MANUFACTURERS' REGULATION

CLARIFICATION AND CORRECTION

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this amendment 1 to Ceiling Price Regulation 41 is hereby issued.

STATEMENT OF CONSIDERATIONS

The accompanying amendment to Ceiling Price Regulation 41 clarifies sections 5 (a) and 6 (a) of the regulation which tell how to compute material and labor costs. It is intended that material and labor costs be computed as of the last day of the base period selected and March 15, 1951. This amendment clarifies the instructions with respect to the use of cost sheets in that regard.

Section 10 which tells how to compute material and labor costs for unit shoes instructs the manufacturer to subtract March 15, 1951 costs from base period costs to obtain cost increases. This inadvertent error is corrected by this amendment and the manufacturer is instructed to obtain his total cost increase by subtracting his base period total labor and material costs from his March 15, 1951 total material and labor costs.

AMENDATORY PROVISIONS

Ceiling Price Regulation 41 is amended in the following respects:

1. Section 5 (a) is amended to read as follows:

(a) *Material costs and method of computation.* Material cost means the cost of all materials entering directly into the completed shoe or used directly in the manufacturing processes from which the shoe results. In addition, it includes the cost of packaging material, machinery royalties and rentals, machine replacement parts, lasts, dies, and patterns allocable to the unit shoe you desire to price. It includes also the total cost of manufacturing material which you produced in one unit of your business and transferred to another unit of your business and which you used in producing the shoes you desire to price. It does not include the cost of materials used in replacing, maintaining or expanding your plant. If you customarily use cost sheets, you must use a cost sheet adjusted to reflect your costs on the last day of your selected base period and on March 15, 1951. If you do not customarily use cost sheets, your material cost is your replacement cost on those days. In allocating the unit cost of material used in producing a shoe under this regulation you must allocate the permitted material cost according to your customary accounting method. The same accounting method for allocation and determination of costs must be used in all calculations of unit costs of materials.

2. Section 6 (a) is amended to read as follows:

(a) *Labor costs and method of computation.* Labor cost means the cost of labor that enters directly into the fabrication of the shoe and is paid for at hourly or piece rates. In addition, it includes the cost of labor for factory supervision, materials control, ordinary maintenance, warehouse help and inspection allocable to the unit shoe you desire to price. It may include the allocable equivalent on an hourly or piece rate basis of so-called "fringe benefits" (for example, pension plans, paid vacation, make-up pay and insurance). It does not include the cost of labor for general administration, sales, advertising, research, major repairs or replacement and expansion of plant and equipment. If you customarily use cost sheets, you must use a cost sheet adjusted to reflect your costs on the last day of your selected base period and on March 15, 1951. If you do not customarily use cost sheets, your labor cost is your labor cost on those days. In allocating the cost of labor for a shoe under this regulation, you must allocate the permitted labor costs according to your customary accounting method. The same accounting method for allocation and determination of costs must be used in all calculations of unit costs of labor.

3. Section 10 is amended to read as follows:

SEC. 10. *How to compute your material and labor cost increases.* Compute base period and your March 15, 1951 cost of material and labor for that shoe by the methods presented in sections 5 (a) and 6 (a) of this regulation. Subtract the base period total material and labor cost from the March 15, 1951 total material and labor cost to determine your total cost increase for that shoe.

(Sec. 704, Pub. Law 774, 81st Cong.)

Effective date. This amendment shall become effective on June 20, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JUNE 20, 1951.

[F. R. Doc. 51-7189; Filed, June 20, 1951; 4:00 p. m.]

Chapter VI—National Production Authority, Department of Commerce

[NPA Order M-36, as Amended June 20, 1951]

M-36—GOVERNMENT ORDERS FOR PAPER

This order as amended is found necessary and appropriate to promote the national defense and is issued pursuant to the authority of section 101 of the Defense Production Act of 1950. In the formulation of this amendment there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

This amendment affects NPA Order M-36 by adding two grades of paperboard to list B and by making certain minor changes in sections 2 and 3. As so amended, NPA Order M-36 reads as follows:

Sec.

AUTHORITY: Sections 1 to 12 issued under sec. 704, Pub. Law 774, 81st Cong. Interpret or apply sec. 101, Pub. Law 774, 81st Cong.; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

SECTION 1. *What this order does.* This order applies to paper manufacturers and provides rules for placing, accepting, and scheduling Government orders for paper. Its purpose is to make possible maximum production of paper and reduce to a minimum any disruption of normal distribution by providing for the equitable sharing of Government orders among paper manufacturers. It supplements NPA Reg. 2, but only those provisions of Reg. 2 which are contradictory to this order are superseded, and all other provisions of Reg. 2 continue to apply to the paper industry.

SEC. 2. *Definitions.* As used in this order:

(a) "Paper" means any kind of primary paper, including, but not limited to, the grades listed on Census Form M-14A, and also those grades of paperboard designated in list "B" of this order.

(b) "Grade", as hereinafter used, means any category of paper as listed in Census Form M-14A, or any subtype of such category although not specifically mentioned in such form.

(c) "Produce" and "manufacture" mean and include all making and finishing operations necessary to the production of primary paper prior to packing or packaging.

(d) "Schedule" means the completion of all steps ordinarily taken by the manufacturer preliminary to actual manufacture, including acknowledgment to buyer, establishment of detailed specifications, and determination of the time when the order will be manufactured and shipment made.

(e) "Government order" means (1) any DO rated order and (2) any order, whether rated or not, for direct or indirect delivery to any activity on list A except those orders for paper intended for resale at retail, such as supplies for post exchanges.

SEC. 3. *Reserve production.* (a) Each manufacturer shall reserve for the month of February 1951, and for each calendar month thereafter, machine time, material, and supplies, sufficient to

produce and deliver within such month a total amount of paper to be calculated by applying the percentage specified for each grade in list B of this order to his average monthly production of such grade during the most recent calendar quarter, as originally reported on Form M–14–A as revised. Each manufacturer shall furnish the NPA with a record of his paper production for the fourth quarter 1950 and January 1951, on the basis of instructions to be issued by NPA pursuant thereto.

(b) The National Production Authority may from time to time increase or decrease manufacturers' reserve production by changing the percentages in list B of this order or applying the same or different percentages to other types, grades, or combinations of grades.

SEC. 4. *Directives.* On or before the tenth day of any month, the National Production Authority may direct any manufacturer to produce during such month any grade of paper which such manufacturer is qualified to produce, in total tonnage not exceeding the amount of his reserve production for such month less the Government orders he has already scheduled for that month. The National Production Authority may direct a manufacturer to sell and deliver such tonnage to fill any Government order or orders that it may designate.

SEC. 5. *Release of reserve production.* If on or before the tenth day of any month a manufacturer has not received from the National Production Authority directives as to the disposition of all production reserved for such month, in excess of the Government orders he has already scheduled for such month, he may apply that production for which no directives have been received as he may desire, subject to the provisions of this order and other orders and regulations of National Production Authority.

SEC. 6. *Report of Government orders.* (a) Each manufacturer shall report at the close of each month on Form M–14–A, as provided therein, such Government orders, including directed tonnage, as are qualified under this order which he has produced in such month and those Government orders, excluding directed tonnage, which he has scheduled for production in the second and third subsequent months. For example, the February 1951 report will show the actual total of Government orders produced in February and the Government orders, excluding directed tonnage, for April and May production. Having once reported a qualified order as scheduled in a given forward month, the manufacturer shall produce such orders as scheduled and so reported, and shall report the same order as scheduled for a different month only if requested by the buyer to so reschedule.

(b) If in any month a manufacturer's total scheduled Government orders for a subsequent month shall change materially (25 percent of his reserve production or 10 tons, whichever is greater) from his previous report, he may file Form NPAF–27 showing his revised schedule of Government orders, excluding directed tonnage.

(c) He shall initially file Form NPAF–27 by February 20, 1951, to show his Government order schedule for the month of March 1951.

(d) The manufacturer's reserve tonnage position as shown in the monthly Form M–14–A, in the interim reports, NPAF–27, if any, and directives will be taken into consideration by the National Production Authority in issuing such directives as may be found necessary under this order.

SEC. 7. *Rated orders.* (a) No manufacturer shall be required to accept DO rated orders for paper for shipment in any one month in excess of his reserve production for that month less his tonnage of Government orders already scheduled for that month.

(b) Unless specifically directed by the National Production Authority, no manufacturer need accept a DO rated order which is received less than 40 days prior to the first day of the month in which shipment is requested.

SEC. 8. *Applications for adjustment or exception.* Any person affected by any provision of this order may file a request for adjustment or exception upon the ground that such provision works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry, or that its enforcement against him would not be in the interest of the national defense or in the public interest. In considering requests for adjustment claiming that the public interest is prejudiced by the application of any provision of this order, consideration will be given to the requirements of public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each request shall be in writing, shall set forth all pertinent facts and the nature of the relief sought, and shall state the justification therefor.

SEC. 9. *Communications.* All communications concerning this order shall be addressed to National Production Authority, Washington 25, D. C., Ref: M–36.

SEC. 10. *Records.* Each person participating in any transaction covered by this order shall retain in his possession for at least 2 years records of receipts, deliveries, inventories, and use, in sufficient detail to permit an audit that determines for each transaction that the provisions of this order have been met. This does not specify any particular accounting method and does not require alteration of the system of records customarily maintained, provided such records supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals.

SEC. 11. *Audit and inspection.* All records required by this order shall be made available at the usual place of business where maintained for inspection and audit by duly authorized representatives of the National Production Authority.

SEC. 12. *Violations.* Any person who wilfully violates any provision of this order or any other order or regulation of the National Production Authority or who wilfully conceals a material fact or furnishes false information in the course of operation under this order is guilty of a crime and, upon conviction, may be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries of materials or using facilities under priority or allocation control and to deprive him of further priorities assistance.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order as amended shall take effect on June 20, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

LIST A

1. United States Department of Defense, including all groups and subgroups.
2. Atomic Energy Commission.
3. United States Coast Guard.
4. National Advisory Committee for Aeronautics.
5. Civil Aeronautics Administration.
6. Tennessee Valley Authority.
7. U. S. Department of Justice, Bureau of Prisons.
8. United States Government Printing Office.
9. United States Bureau of Engraving and Printing.
10. General Services Administration.
11. United States Post Office.
12. Reconstruction Finance Corporation, Office of Rubber Reserve.
13. The Secretary of the Senate and the Clerk of the House of Representatives.
14. Producers of products or parts thereof for any of the activities listed above to the extent that the primary paper is to be used exclusively as a component part of the product to be delivered on a contract or purchase order issued by such activity.
15. Any activity of the United States Government not listed above normally required to obtain paper and printed matter through or from the United States Government Printing Office if and when the GPO grants a waiver of such requirement, and manufacturers of products using paper for any such activity, to the extent that the primary paper is to be used exclusively as a component part of the product to be delivered, on a contract or purchase order issued by such activity if and when such a waiver is granted. Any such waiver must have been granted for the specific contract or purchase order concerned and an adequate identification of the waiver number and date of issuance thereof must be endorsed upon the contract or purchase order.

LIST B

Grade	M-14-A code numbers	Percent
Newsprint	1000	5
Groundwood paper, uncoated	1100-1190	10
Paper-machine coated papers, book papers, and fine papers (except rag writing papers)	1200-1390, 1420-1460	10
Rag writing papers	1410	15
Coarse papers (unbleached kraft grades only)	1511, 1521, 1530, 1591	10
Coarse papers (other than unbleached kraft grades)	1512, 1519, 1522, 1529, 1592, 1599	5
Special industrial papers	1600	15
Sanitary tissue stock	1700	5
Crepe wadding for packing	1870	25
Tissue papers (except sanitary and crepe wadding for packing)	1890	5
Absorbent papers	1900	5
Special food boards	2295	5
Cardboard	2500	10

[F. R. Doc. 51-7192; Filed, June 20, 1951; 11:40 a. m.]

[NPA Order M-70]

M-70—MARINE MAINTENANCE, REPAIR, AND OPERATING SUPPLIES AND MINOR CAPITAL ADDITIONS

This order is found necessary and appropriate to promote the national defense and is issued pursuant to the authority granted by section 101 of the Defense Production Act of 1950. In the formulation of this order, consultation with industry representatives has been rendered impracticable due to the necessity for immediate action.

Sec.

AUTHORITY: Sections 1 to 17 issued under sec. 704, Pub. Law 774, 81st Cong. Interpret or apply sec. 101, Pub. Law 774, 81st Cong.; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

SECTION 1. *What this order does.* The purpose of this order is to provide a procedure whereby maintenance, repair, and operating supplies, as well as minor capital additions, for water transportation systems may be obtained during the third calendar quarter of 1951 or until the NPA Controlled Materials Plan shall be effective as to such items. It provides a procedure to be used for the application of DO ratings during the said third quarter.

SEC. 2. *Definitions.* For the purposes of this order:

(a) "Person" means any individual, corporation, partnership, association, or any other organized group of persons, and includes any agency of the United States or any other government.

(b) "Water transportation system" means any domestically owned American flag vessel of any type on the inland waterways, or Great Lakes, or in coastwise, intercoastal, or seagoing service, except a vessel subject to the jurisdiction of the Coast Guard or to the jurisdiction of the Department of Defense as a claimant agency under DPA Order 1, except floating equipment owned by a railroad when MRO is furnished or performed by such railroad, and except vessels operated exclusively for pleasure.

(c) "Water transportation system consumer" means the owner, lessee, or charterer of a water transportation system.

(d) "Foreign flag vessels" means those vessels registered in countries other than the United States or Canada.

(e) "Canadian flag vessels" means those vessels registered in the Dominion of Canada.

(f) "Supplier" means a distributor of marine MRO or minor capital additions for the use of water transportation systems.

(g) "Ship repair yard" means any person, located in the United States, its territories or possessions, who regularly provides MRO or minor capital additions for boats and vessels.

(h) "Maintenance" means the minimum upkeep necessary to continue any unit of water transportation or a part or a component thereof in sound working condititon. "Maintenance" also means the reactivation of vessels in storage or not in usable condition.

(i) "Repair" means the restoration to sound working condition of any vessel or a part or a component thereof when it has been rendered unsafe or unfit for service by wear and tear, damage, failure of parts, or the like.

(j) "Maintenance" and "repair" include the replacement of any marine equipment regardless of its accounting classification, but neither "maintenance" nor "repair" includes addition to a unit of water transportation or a part or a component thereof which is in sound working condition with material of a new or different kind, quality, or design. Where a replacement is more economical than a repair, such replacement shall not be undertaken under any provision of this order in the absence of the specific approval of the National Production Authority.

(k) "Operating supplies" means material, other than fuel, which is used or consumed in the course of operations of a water transportation system.

(l) "Minor capital additions" means any improvement, addition, betterment, or conversion of a kind carried as capital by a water transportation system, but no such improvement, addition, betterment, or conversion shall exceed $750 in cost. In computing the cost of such improvement, addition, betterment, or conversion for purposes of this order, the cost of all materials obtained by the person pursuant to the same project or plan shall be included even though the respective materials are ordered or delivered at different times and are obtained from different sources of supply. No capital addition shall be subdivided for the purpose of bringing it or any part of it within the foregoing limitations. "Minor capital addition" does not include conversions covered by present or future orders or directives issued by the National Production Authority.

(m) "MRO" means maintenance, repair, and operating supplies as defined in this section but exclusive of fuel, and does not include minor capital additions. The latter term is specifically used in this order wherever the meaning so requires. Materials or products sold by a supplier thereof or a ship repair yard for "MRO" shall not be deemed "MRO" as to such supplier. While the order applies to water transportation system consumers, suppliers, and ship repair yards and supersedes NPA Reg. 4, as amended, with respect to their marine MRO, it does not provide for their other "MRO" and minor capital additions, the procurement of which remains subject to all of the provision of NPA Reg. 4, as amended.

(n) "Controlled materials" means steel, copper, and aluminum in the forms and shapes specified in Schedule 1 of CMP Regulation No. 1.

(o) "NPA" means the National Production Authority.

SEC. 3. *DO rating assigned.* Subject to the limitations of section 4 of this order with respect to water transportation system consumers, section 5 of this order with respect to suppliers, section 6 with respect to ship repair yards, section 7 with respect to foreign flag vessels, and section 8 with respect to Canadian flag vessels, the NPA hereby assigns to such persons the right to apply a DO-91P rating to obtain MRO and minor capital additions for delivery during the third calendar quarter of 1951. The DO-91P rating shall be applied as provided in section 9 of this order.

SEC. 4. *Water transportation system consumer's use of rating and quota limitations.* A water transportation system consumer who desires to apply the DO rating herein assigned shall apply the rating only to the extent and in the manner prescribed by this section as follows:

(a) *Quarterly MRO and minor capital additions quota.* Every water transportation system consumer applying the DO-91P rating to obtain the MRO and minor capital additions of a water transportation system or systems must establish a quarterly quota for this purpose, which quota shall be 120 percent of the amount he expended to obtain MRO for his water transportation system or systems during the fourth calendar quarter of 1950, unless he elects to use the first calendar quarter of 1951. An election to use the first calendar quarter of 1951 may not subsequently be changed without the prior written authorization of NPA. In computing his quota, the water transportation system consumer shall include total expenditures for such MRO during the quarter selected, excluding expenditures for minor capital additions.

(b) *Charges against quota.* Any water transportation system consumer who applies the DO–91P rating for the purposes of this section shall charge against his quarterly MRO quota:

(1) The cost of all MRO ordered for delivery during the quarter, whether or not obtained by use of the DO–91P rating, and

(2) The cost of all minor capital additions ordered for delivery during the quarter only if obtained by use of the DO–91P rating.

(c) *Prohibition against exceeding quota.* No person shall order for delivery during the third calendar quarter of 1951 a quantity of material chargeable against his MRO quota which exceeds the amount of such quota.

SEC. 5. *Supplier's use of rating, increase of inventory, and inventory limitation.* A supplier may apply the DO–91P rating to obtain stocks of inventory for delivery during the third calendar quarter of 1951 to the extent necessary to bring his inventory to 120 percent of the dollar amount of his average, end of the month inventory during the fourth calendar quarter of 1950, or to a practicable minimum working inventory as defined by NPA Reg. 1, as amended, whichever is less. No inventory stocks obtained by use of the DO–91P rating shall be used, sold, transferred, or otherwise disposed of, for any purpose other than the maintenance, repair, or operation of a water transportation system, foreign flag vessel, or Canadian flag vessel, including minor capital additions therefor. Further, any inventory stocks obtained by the use of the DO–91P rating may be used only to fill orders rated with a DO–91P rating.

SEC. 6. *Ship repair, yard's use of rating, increase of inventory, and inventory limitation*—(a) *Controlled materials.* No ship repair yard shall apply the DO–91P rating to obtain MRO of controlled materials. Ship repair yards will obtain controlled materials in accordance with the provisions of CMP Regulations 1 and 3.

(b) *Increase of inventory and inventory limitation on materials other than controlled materials.* A ship repair yard may apply the DO–91P rating to obtain stocks of inventory of materials other than controlled materials for delivery during the third calendar quarter of 1951 to the extent necessary to bring such inventory to 120 percent of the dollar amount of his average, end of the month inventory of such materials other than controlled materials during the fourth calendar quarter of 1950, or to a practicable minimum working inventory as defined by NPA Reg. 1, as amended, whichever is less. No inventory stocks obtained by use of the DO–91P rating shall be used, sold, transferred, or otherwise disposed of, for any purpose other than the maintenance, repair, or operation of a water transportation system, foreign flag vessel, or Canadian flag vessel, including minor capital additions therefor. Further, any inventory stocks obtained by the use of the DO–91P rating may be used only to fill orders rated with a DO–91P rating.

SEC. 7. *Foreign flag vessel's use of rating.* The DO–91P rating herein assigned may not be applied to obtain MRO or minor capital additions for foreign flag vessels unless authorized in writing by NPA pursuant to a written application for such authority. Such application shall be made in triplicate on Form NPAF–104 and filed with the National Production Authority, Washington 25, D. C. Where a foreign flag vessel is damaged at sea and cannot continue safely to its own port, either under its own power or otherwise, but is able to reach a port in the United States for repairs, application may be made by telegraph or radiogram stating such facts, the identification of the vessel, and any other facts believed pertinent. Such telegraph or radiogram application shall be supported, as soon as possible, by filing completed Form NPAF–104 in triplicate with NPA.

SEC. 8. *Canadian flag vessel's use of rating.* Notwithstanding the provisions of NPA Reg. 3, as amended, Canadian flag vessels shall apply for assistance in connection with MRO and minor capital additions in the same manner as provided in section 7 of this order and, when authorized, shall apply the DO–91P rating and not the DO–47 rating authorized by said Reg. 3.

SEC. 9. *Application and certification of rating*—(a) *By water transportation system consumer and supplier.* The DO rating may be applied by a water transportation system consumer or supplier by placing on an order, or on a separate piece of paper attached to the order, the symbol "DO–91P," together with the words "Certified under NPA Order M–70 and NPA Reg. 2." Such certification shall be signed as prescribed in section 8 of NPA Reg. 2. This certification constitutes a representation to the recipient and to NPA that the person using the DO–91P rating is authorized to use it as provided in this order.

(b) *By ship repair yard.* (1) The DO rating and certification on an order by a ship repair yard for materials other than controlled materials shall be applied and certified in accordance with paragraph (a) of this section.

(2) The DO rating and certification on an order by a ship repair yard for controlled materials shall be applied and certified in accordance with paragraph (a) of this section and, in addition, the certification shall contain the serial number assigned by NPA in granting the assistance.

(c) *By foreign flag and Canadian vessels.* The DO rating and certification by a foreign flag or Canadian vessel shall be applied and certified in accordance with paragraph (a) of this section and, in addition, the certification shall contain the serial number assigned by NPA in granting the assistance.

SEC. 10. *Limitation on application of rating.* No person shall apply the DO–91P rating to obtain material:

(a) For any unauthorized purpose or in amounts greater than required for an authorized purpose under this order.

(b) Which can be obtained within the time required without the use of a rating.

(c) The use of which can be eliminated without serious loss of efficiency by substitution of less scarce material.

SEC. 11. *Limitation on extension of rating.* A supplier or ship repair yard may apply the DO–91P rating assigned by this order and within its limitations, but neither a supplier nor a ship repair yard may extend, either to obtain materials other than controlled materials normally carried in his inventory or to obtain controlled materials, a DO–91P rating received by him from another person.

SEC. 12. *Prohibited deliveries.* No person shall accept an order for, or sell, deliver, or cause to be delivered, material which he knows, or has reason to believe, will be accepted, held, or used in violation of any provision of this order.

SEC. 13. *Application to other orders and regulations.* The provisions of NPA Reg. 4, as amended, relating to MRO and minor capital additions, are superseded to the extent that they are inconsistent with this order, except that a DO–91P rating may not be applied under this order to the items listed in list A of NPA Reg. 2, or table I of NPA Reg. 4, as they may be amended from time to time. The provisions of NPA Reg. 3, as amended, relating to MRO and minor capital additions for persons located in Canada, are superseded to the extent that they are inconsistent with this order.

SEC. 14. *Records, reports, audit, and inspection.* (a) Each person participating in any transaction covered by this order shall retain in his files, for at least 2 years, records of receipts, deliveries, inventory, and use, in sufficient detail to permit an audit that determines for each transaction that the provisions of this order have been met. This does not specify any particular accounting method, nor does it require alteration of the system of records customarily maintained, provided the system provides an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals.

(b) All records required by this order shall be made available at the usual place of business where maintained for inspection and audit by duly authorized representatives of the National Production Authority.

(c) Persons subject to this order shall make such records and submit such reports to the National Production Authority as it shall require, subject to the terms of the Federal Reports Act of 1942 (5 U. S. C. 139–139F).

SEC. 15. *Applications for adjustment or exception.* Any person affected by any provision of this order may file a request for adjustment or exception upon the ground that such provision works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry, or that its enforcement against him would

not be in the interest of the national defense or in the public interest. In examining requests for adjustment claiming that the public interest is prejudiced by the application of any provision of this order, consideration will be given to the requirements of the public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each request shall be in writing and in triplicate, shall set forth all pertinent facts and the nature of the relief sought, and shall state the justification therefor. More particularly, the applicant shall fully describe the nature of his business or other activity, indicating any seasonal or other unusual features, products made or distributed, or services or other activities performed, and the quarterly volume of such business or other activity since January 1, 1950. The applicant shall state the total amount spent for MRO in each quarter since January 1, 1950, and, if increase in quota is requested, specify the amount of increase requested.

SEC. 16. *Communications.* All communications concerning this order shall be addressed to the National Production Authority, Washington 25, D. C., Ref: M-70.

SEC. 17. *Violations.* Any person who wilfully violates any provision of this order or any other order or regulation of NPA or who wilfully conceals a material fact or furnishes false information in the course of operation under this order is guilty of a crime and, upon conviction, may be punished by fine or imprisonment, or both. In addition, administrative action may be taken against such person to suspend his privilege of making or receiving further deliveries of materials or using facilities under priority or allocation control and to deprive him of further priorities assistance.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall take effect on June 19, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51-7159; Filed, June 19, 1951; 4:25 p. m.]

Chapter XIV—General Services Administration

TUNGSTEN REGULATION; DOMESTIC TUNGSTEN PROGRAM

DURATION OF PROGRAM

Section 5, 16 F. R. 4373, is amended to read as follows:

SEC. 5. *Duration of the program.* The program shall terminate and be of no further force or effect when 3,000,000 short ton units of tungsten have been delivered to and accepted by the Government under this program, or on July 1, 1956, whichever occurs first.

(Sec. 704, Pub. Law 774, 81st Cong.)

Dated: June 18, 1951.

JESS LARSON,
Administrator.

[F. R. Doc. 51-7152; Filed, June 20, 1951; 8:49 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

Appendix—Public Land Orders

[Public Land Order 728]

CALIFORNIA

AMENDMENT OF PUBLIC LAND ORDER NO. 556 OF FEBRUARY 8, 1949, TRANSFERRING LANDS FROM AND TO THE PLUMAS AND LASSEN NATIONAL FORESTS

By virtue of the authority vested in the President by the act of June 4, 1897 (30 Stat. 11, 36; 16 U. S. C. 473), and pursuant to Executive Order No. 9337 of April 24, 1943, and upon the recommendation of the Secretary of Agriculture, it is ordered that Public Land Order No. 556 of February 8, 1949, transferring lands from and to the Plumas and Lassen National Forests, be, and it is hereby, amended as follows:

1. That part of the description of the land in T. 27 N., R. 6 E., M. D. M., reading "Sec. 15, E½" is corrected to read: "Sec. 15, NE¼, NW¼SE¼ and E½SE¼".

2. That part of the description of the land in T. 27 N., R. 7 E., M. D. M., reading "Sec. 6, lot 6" is corrected to read: "Sec. 6, lot 5".

3. That part of the description of the land in T. 28 N., R. 12 E., M. D. M., reading "Secs. 16 and 17, those parts north of the Diamond Mountain Divide" is corrected to read: "Sec. 16, that part north of the Diamond Mountain Divide".

4. The effective date of the transfer of lands from the Lassen National Forest to the Plumas National Forest is changed from July 1, 1947, to July 1, 1948.

OSCAR L. CHAPMAN,
Secretary of the Interior.

JUNE 14, 1951.

[F. R. Doc. 51-7086; Filed, June 20, 1951; 8:45 a. m.]

TITLE 45—PUBLIC WELFARE

Chapter I—Office of Education, Federal Security Agency

PART 105—FINANCIAL ASSISTANCE FOR CURRENT EXPENDITURES FOR PUBLIC SCHOOLS IN AREAS AFFECTED BY FEDERAL ACTIVITIES

APPLICATIONS AND PAYMENTS

Sec.
105.1 Definitions.
105.2 Scope.
105.3 Basis for assistance; administrative policy.
105.4 Applications.
105.5 Dead line for applications for payments from funds appropriated for fiscal year 1951.
105.6 Applications received after dead line not considered for payment.
105.20 Notification of approval of application.
105.21 Payments.
105.22 Payments from fiscal year 1951 appropriations.

AUTHORITY: §§ 105.1 to 105.22 issued under sec. 7, Pub. Law 874, 81st Cong. Interpret or apply secs. 1-6, 8, 9, Pub. Law 874, 81st Cong.

APPLICATIONS AND PAYMENTS

§ 105.1 *Definitions.* All terms used in this part which are defined in Public Law 874, 81st Congress, 64 Stat. 1100, 20 U. S. C. 236-244, and not defined in this section shall have the meaning given to them in such act. As used in this part, the following terms shall have the meaning indicated in the following paragraphs.

(a) *Act.* Public Law 874, 81st Congress (64 Stat. 1100, 20 U. S. C. 236-244).

(b) *Applicant.* Any local educational agency, as defined in the act, which files an application for financial aid under the act and this part.

(c) *Application.* The document or documents, including amendments thereto and, to the extent indicated by the applicant, communications in support thereof, filed by an applicant requesting financial assistance under the act and this part.

(d) *Financial assistance.* The payments made under section 5 (b), 64 Stat. 1106, 20 U. S. C. 240 (b) to the applicant by the Secretary of the Treasury upon certification by the United States Commissioner of Education.

(e) *Entitlement.* The amount of assistance which, if the appropriations for a fiscal year were adequate to pay all claims, the applicant would receive under the formulae of the act.

§ 105.2 *Scope.* The regulations in this part govern the granting of Federal assistance under the act to local educational agencies within the continental United States, Hawaii, Alaska, Puerto Rico, and the Virgin Islands.

§ 105.3 *Basis for assistance; administrative policy.* Pursuant to section 1 of the act, assistance will be provided to those local educational agencies upon which the United States has placed financial burdens by reason of the fact that: The United States has acquired real property; or such agencies provide education for children residing on, or whose parents are employed on, Federal property; or Federal activities have caused substantial increases in school attendance. The Commissioner will consult the State educational agencies in the administration of the law and will utilize the facilities and services of other Federal departments in carrying out his functions under the act. The Commissioner will request that other Federal departments receiving appropriations for fiscal year 1951 for the same purposes as contained in the act carry out, in so far as practicable, their commitments until June 30, 1951.

§ 105.4 *Applications.* Any local educational agency believing itself to be entitled to assistance under the act may file with the Commissioner of Education, through the appropriate State educational agency, on forms prescribed by the Commissioner, an application for financial assistance for public school operating expenses, showing entitlement under the terms and conditions of the act. Each Applicant shall be deemed to have undertaken to submit such reports as the Commissioner may reasonably require to determine the amount to which the Applicant is entitled under the act and to make its records available to the Commissioner or his designee upon request for the purpose of examination or audit.

§ 105.5 *Dead line for applications for payments from funds appropriated for fiscal year 1951.* June 30, 1951, at 12:00 o'clock noon is hereby fixed as the time on or before which all applications, or supplementary information necessary to complete applications, for payments out of funds appropriated for the fiscal year 1951 shall be received by the Commissioner.

§ 105.6 *Applications received after dead line not considered for payment.* Applications received by the Commissioner after June 30, 1951, at 12:00 o'clock noon will not be considered for payment from funds appropriated for the fiscal year 1951.

§ 105.20 *Notification of approval of application.* Each Applicant will be notified within a reasonable time of the Commissioner's approval or disapproval of its application and the amount of payment, if any, to be made.

§ 105.21 *Payments.* Payment of the amount to which an Applicant is entitled under the act will be made by the Secretary of the Treasury upon certification of the amount due for each calendar quarter by the Commissioner. The amount so certified for any quarter will be reduced or increased, as the case may be, by any sum by which the Commissioner finds that the amount paid to the Applicant for any prior quarter was greater or less than the amount which should have been paid for such prior quarter.

§ 105.22 *Payments from fiscal year 1951 appropriations.* As prescribed by section 5 (c), 64 Stat. 1106, 20 U. S. C. 240 (c), if the funds appropriated for the fiscal year 1951 for such purposes are not sufficient to pay in full the total amounts which all local educational agencies whose applications have been considered for payment pursuant to § 105.5 are entitled to receive for such fiscal year, the Commissioner will reduce the amounts which he certifies under section 5 (b), 64 Stat. 1106, 20 U. S. C. 240 (b), for such fiscal year for payment to each such agency by the percentage by which the funds so appropriated are less than the total necessary to pay such agencies the full amount which they are entitled to receive under the act and the showings under and pursuant to their respective applications.

Dated: June 18, 1951.

[SEAL] EARL J. MCGRATH,
U. S. Commissioner of Education.

Approved: June 19, 1951.

JOHN L. THURSTON,
Acting Federal Security Administrator.

[F. R. Doc. 51-7151; Filed, June 20, 1951; 8:45 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 1—PRACTICE AND PROCEDURE

REVISION OF FORM REGARDING APPLICATION FOR NEW OR MODIFIED RADIO STATION CONSTRUCTION PERMIT (OTHER THAN BROADCASTING)

In the matter of revision of FCC Form 401, Application for New or Modified Radio Station Construction Permit (Other Than Broadcasting).

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 13th day of June 1951;

The Commission having under consideration the revision of FCC Form 401, Application for New or Modified Radio Station Construction Permit (Other Than Broadcasting); and

It appearing, that Items 19 and 20 require modification in order to conform with certain requirements of Part 17, rules concerning the Construction, Marking and Lighting of Antenna Structures, which became effective February 15, 1951; and

It further appearing, that certain editorial changes in Items 4, 12, and 30 are desirable for the purpose of clarification and in the instructions on page 5 in order to facilitate completion of the application form by applicants; and

It further appearing, that the primary revisions contained herein reflect changes in rules which changes were adopted by the Commission after giving notice in accordance with the provisions of section 4 (a) of the Administrative Procedure Act, and that other changes herein are in effect merely editorial in nature; and therefore, general notice of proposed rule making in accordance with section 4 (a) of the Administrative Procedure Act is unnecessary; and

It further appearing, that authority to make the changes in the form is contained in sections 4 (i), 303 (r) and 308 (b) of the Communications Act of 1934, as amended.

It is ordered, That FCC Form 401, Application for New or Modified Radio Station Construction Permit (Other Than Broadcasting) is revised as set forth in the attachment hereto[1]; and

It is further ordered, That this order shall be effective August 1, 1951.

(Sec. 4, 48 Stat. 1066 as amended; 47 U. S. C. 154. Interprets or applies Sec. 303, 48 Stat. 1082, as amended, 1084; 47 U. S. C. 303, 308)

Released: June 15, 1951.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-7114; Filed, June 20, 1951; 8:55 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR, Part 58]

GRADING AND INSPECTION OF DAIRY PRODUCTS

EXTENSION OF TIME

Notice is hereby given of the extension until June 26, 1951, of the period of time within which written data, views, and arguments should be submitted by interested parties for consideration prior to the issuance of the proposed regulations governing the grading, inspection, sampling, grade labeling, and supervision of packaging of butter, cheese and other manufactured or processed dairy products.

The proposed regulations are set forth in the notice of rule making which was published in the FEDERAL REGISTER (F. R. Doc. 51-6481; 16 F. R. 5280) on June 5, 1951.

Done at Washington, D. C., this 18th day of June 1951.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 51-7099; Filed, June 20, 1951; 8:51 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division

[29 CFR, Part 705]

DECORATIONS AND PARTY FAVORS INDUSTRY IN PUERTO RICO

MINIMUM WAGE RATES

Pursuant to section 5 (a) of the Fair Labor Standards Act of 1938, as amended, hereinafter called the act, the Administrator of the Wage and Hour

[1] Filed as a part of the original document. Copies may be obtained from the Federal Communications Commission.

Division, United States Department of Labor, by Administrative Order No. 403, as amended by Administrative Order No. 404, appointed Special Industry Committee No. 9 for Puerto Rico, hereinafter called the Committee, and directed the Committee to investigate conditions in a number of industries in Puerto Rico specified and defined in said orders, including the decorations and party favors industry, and to recommend minimum wage rates for employees engaged in commerce or in the production of goods for commerce in such industries.

For purposes of investigating conditions in and recommending minimum wage rates for the decorations and party favors industry in Puerto Rico, the Committee included three disinterested persons representing the public, a like number representing employers, and a like number representing employees in the decorations and party favors industry, and was composed of residents of Puerto Rico and of the United States outside of Puerto Rico.

After investigating economic and competitive conditions in the decorations and party favors industry in Puerto Rico, the Committee filed with the Administrator a report containing its recommendation for a minimum wage rate of 30 cents an hour to be paid to employees in that industry who are engaged in commerce or in the production of goods for commerce.

Pursuant to notice published in the FEDERAL REGISTER on March 27, 1951, and circulated to all interested persons, a public hearing upon the Committee's recommendation was held before Hearing Examiner E. West Parkinson, as presiding officer, in Washington, D. C., on April 24, 1951, at which all interested persons were given an opportunity to be heard. After the hearing was closed the record of the hearing was certified to the Administrator by the presiding officer.

Upon reviewing all the evidence adduced in this proceeding and after giving consideration to the provisions of the act, particularly sections 5 and 8 thereof, I have concluded that the recommendation of the Committee for a minimum wage rate in the decorations and party favors industry in Puerto Rico, as defined, was made in accordance with law, is supported by the evidence adduced at the hearing and, taking into consideration the same factors as are required to be considered by the Committee, will carry out the purposes of sections 5 and 8 of the act.

I have set forth my decision in a document entitled "Findings and Opinion of the Administrator in the Matter of the Recommendation of Special Industry Committee No. 9 for Puerto Rico of a Minimum Wage Rate in the Decorations and Party Favors Industry in Puerto Rico," a copy of which may be had upon request addressed to the Wage and Hour Division, United States Department of Labor, Washington 25, D. C.

Accordingly, notice is hereby given, pursuant to the Administrative Procedure Act (60 Stat. 237; 5 U. S. C. 1001) and the rules of practice governing this proceeding (16 F. R. 2684), that I propose to approve the recommendation of the Committee for the decorations and party favors industry and to issue a wage order to read as set forth below to carry such recommendation into effect.

Within 15 days from publication of this notice in the FEDERAL REGISTER, interested parties may submit written exceptions to the proposed action above described. Exceptions should be addressed to the Administrator of the Wage and Hour Division, United States Department of Labor, Washington 25, D. C. They should be submitted in quadruplicate, and should include supporting reasons for any exceptions.

Sec.
705.1 Approval of recommendation of industry committee.
705.2 Wage rate.
705.3 Notices of order.
705.4 Definition of the Decorations and Party Favors Industry in Puerto Rico.

AUTHORITY: §§ 705.1 to 705.4 issued under sec. 8, 63 Stat. 915; 29 U. S. C. 208. Interpret or apply sec. 5, 63 Stat. 911; 29 U. S. C. 205.

§ 705.1 *Approval of recommendation of industry committee.* The Committee's recommendation is hereby approved.

§ 705.2 *Wage rate.* Wages at a rate of not less than 30 cents per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938, as amended, by every employer to each of his employees in the decorations and party favors industry in Puerto Rico who is engaged in commerce or in the production of goods for commerce.

§ 705.3 *Notices of order.* Every employer employing any employees so engaged in commerce or in the production of goods for commerce in the decorations and party favors industry in Puerto Rico shall post and keep posted in a conspicuous place in each department of his establishment where such employees are working such notices of this order as shall be prescribed from time to time by the Wage and Hour Division of the United States Department of Labor and shall give such other notice as the Division may prescribe.

§ 705.4 *Definition of the decorations and party favors industry in Puerto Rico.* The manufacture of ornaments and decorations for Christmas and other holidays, party favors and souvenirs, and similar items primarily ornamental or decorative in character.

Signed at Washington, D. C., this 15th day of June 1951.

WM. R. MCCOMB,
Administrator, Wage and Hour and Public Contracts Divisions.

[F. R. Doc. 51-7109; Filed, June 20, 1951; 8:53 a. m.]

FEDERAL SECURITY AGENCY

Food and Drug Administration

[21 CFR, Part 18]

[Docket No. FDC-7-C-1]

MILK AND CREAM

DEFINITIONS AND STANDARDS OF IDENTITY

In the matter of amending the definition and standard of identity for evaporated milk:

It is proposed that, by virtue of the authority vested in the Federal Security Administrator by the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055; 21 U. S. C. 341, 371) and upon the basis of substantial evidence received at the public hearing held pursuant to a notice published in the FEDERAL REGISTER on January 26, 1951 (16 F. R. 731), the following order be made:

Findings of fact.[1] 1. The definition and standard of identity for evaporated milk (21 CFR 18.520), which was promulgated by an order published in the FEDERAL REGISTER of July 2, 1940 (5 F. R. 2443), recognizes added vitamin D as a permitted optional ingredient and requires that its presence be declared on the label. The standard fixes the minimum level for vitamin D, when this optional ingredient is used, at 7.5 U. S. P. units per avoirdupois ounce of the finished evaporated milk, and prescribes that vitamin D be determined by the method prescribed in "The Second Supplement of the Pharmacopoeia of the United States of America Eleventh Decennial Revision." (R. Ex. 3)

2. The method prescribed for determining vitamin D requires, among other things, that "U. S. P. 'Reference Cod Liver Oil'" be used as the vitamin D standard. The organization of the Pharmacopeia, has only a small quantity of U. S. P. "Reference Cod Liver Oil" remaining, and the supply will not be renewed because by the revision of the United States Pharmacopeia which became official November 1, 1950, the vitamin D standard was changed from U. S. P. "Reference Cod Liver Oil" to U. S. P. Vitamin D Reference Standard. A method specially adapted to the determination of U. S. P. units of vitamin D in evaporated milk is given in "Official Methods of Analysis of the Association of Official Agricultural Chemists," Seventh Edition, 1950, beginning on page 788, under the heading "Vitamin D in Milk—Official." This method is commonly known as the A. O. A. C. method. It utilizes the new U. S. P. Vitamin D Reference Standard, which is readily available. The A. O. A. C. method is the preferred method of a number of laboratories making determinations of vitamin D in evaporated milk. (R. 6–11, 20–23)

3. Although the minimum level for vitamin D prescribed by the standard is

[1] The citations following each finding of fact refer to the pages of the transcript of the testimony and the exhibits received in evidence at the hearing.

7.5 U. S. P. units per avoirdupois ounce, it has become the general commercial practice of manufacturers to increase the vitamin D content to not less than 25 U. S. P. units per fluid ounce. It has been possible for consumers to note that vitamin D has been increased to this level from label statements on vitamin D increased evaporated milks made in compliance with regulations prescribing label statements relating to vitamins in foods for special dietary uses (21 CFR 125.3). It is reasonable to raise the minimum level for vitamin D specified in the standard for evaporated milk to not less than 25 U. S. P. units per fluid ounce of the vitamin D increased evaporated milk so that this food will not contain less vitamin D than consumers have been receiving in vitamin D increased evaporated milk for the past several years. (R. 12–14, 16–17, 21–22, 23–24, 27, 33–35)

Conclusions. It is concluded that it will promote honesty and fair dealing in the interest of consumers to amend the definition and standard of identity for evaporated milk so that as amended it will read as follows:

§ 18.520 *Evaporated milk; identity; label statement of optional ingredients.* (a) Evaporated milk is the liquid food made by evaporating sweet milk to such point that it contains not less than 7.9 percent of milk fat and not less than 25.9 percent of total milk solids. It may contain one or both of the following optional ingredients:

(1) Disodium phosphate or sodium citrate or both, or calcium chloride, added in a total quantity of not more than 0.1 percent by weight of the finished evaporated milk.

(2) Vitamin D in such quantity as to increase the total vitamin D content to not less than 25 U. S. P. units per fluid ounce of the finished evaporated milk.

It may be homogenized. It is sealed in a container and so processsed by heat as to prevent spoilage.

(b) When optional ingredient (a) (2) is present, the label shall bear the statement, "with increased vitamin D content" or "vitamin D content increased." Such statement shall immediately and conspicuously precede or follow the name "Evaporated Milk," without intervening written, printed, or graphic matter, wherever such name appears on the label so conspicuously as to be easily seen under customary conditions of purchase.

(c) For the purpose of this section:

(1) The word "milk" means cow's milk.

(2) Such milk may be adjusted, before or after evaporation, by the addition or abstraction of cream or sweet skim milk, or by the addition of concentrated sweet skim milk.

(3) The quantity of milk fat is determined by the method prescribed under "Fat—Official" on page 249 and the quantity of total milk solids is determined by the method prescribed under "Total Solids—Official" on page 248 of "Official Methods of Analysis of the Association of Official Agricultural Chemists," Seventh Edition, 1950.

(4) Vitamin D content may be increased by the application of radiant energy or by the addition of a concentrate of vitamin D (with any accompanying vitamin A when such vitamin D in such concentrate is obtained from natural sources) dissolved in a food oil; but if such oil is not milk fat the quantity thereof added is not more than 0.01 percent of the weight of the finished evaporated milk.

(5) The quantity of vitamin D is determined by the method prescribed in "Official Methods of Analysis of the Association of Official Agricultural Chemists," Seventh Edition, 1950, page 788 et seq., under the heading "Vitamin D in Milk—Official."

Any interested person whose appearance was filed at the hearing may, within 30 days from the date of publication of this tentative order in the FEDERAL REGISTER, file with the Hearing Clerk, Federal Security Agency, Room 5440, Federal Security Building, Fourth Street and Independence Avenue SW., Washington, D. C., written exceptions thereto. Exceptions shall point out with particularity the alleged errors in this tentative order and shall contain specific references to the pages of the transcript of the testimony or to the exhibits on which such exceptions are based. Such exceptions may be accompanied by a memorandum or brief in support thereof. Exceptions and accompanying memoranda or briefs shall be submitted in quintuplicate.

(Sec. 701, 52 Stat. 1055; 21 U. S. C. 371. Interprets or applies sec. 401, 52 Stat. 1046; 21 U. S. C. 341.)

Dated: June 15, 1951.

[SEAL] JOHN L. THURSTON,
Acting Administrator.

[F. R. Doc. 51-7027; Filed, June 20, 1951; 8:45 a. m.]

NOTICES

DEPARTMENT OF DEFENSE

Department of the Army

FOREIGN TRADE AND FINANCIAL INVESTMENTS IN JAPAN

ENTRY REQUIREMENTS AND BUSINESS ACTIVITIES

The following material, promulgated by the Supreme Commander for the Allied Powers, Japan, contains regulations of interest to American citizens. Included is SCAP Circular 4, amending SCAP Circular 11, as published in 15 F. R. 4955, August 2, 1950.

ENTRY REQUIREMENTS AND BUSINESS ACTIVITIES IN JAPAN

[Circular No. 4, April 12, 1951]

Paragraphs 25 and 26a, Circular 11, General Headquarters, Supreme Commander for the Allied Powers, 1950, are rescinded and the following substituted:

25. *Permission to do business.* (a) All business shall be conducted pursuant to and in compliance with all laws and regulations of the Japanese Government and the Supreme Commander for the Allied Powers.

(b) Persons engaging in business activities involving the admission or dissemination, commercial or non-commercial, of magazines, books, motion pictures, news and photograph services, and other media of mass communication are required, under the provisions of Circular 8, General Headquarters, Supreme Commander for the Allied Powers, 1950, to obtain a specific license from the Supreme Commander for the Allied Powers prior to authorization by or registration with the Japanese Government. Applications shall be filed with General Headquarters, Supreme Commander for the Allied Powers.

(c) The conduct of business activities with occupation force agencies and personnel involving the transfer of foreign exchange or transfers between convertible accounts is prohibited unless specifically authorized in writing by the Supreme Commander for the Allied Powers. Persons and firms seeking to do business with occupation force agencies and personnel will register properly with and obtain necessary licenses from the Japanese Government in accordance with Japanese law before applying to the Supreme Commander for the Allied Powers for authorization. Applications shall be filed with General Headquarters, Supreme Commander for the Allied Powers.

(d) Non-Japanese nationals and foreign-controlled firms engaging in the business of airline transportation are required to obtain a specific license from the Japanese Government.

(e) The conduct or solicitation of any business in military installations, including billets and other quarters, is prohibited without specific written authority of the area commander.

26. (a) Non-Japanese nationals and foreign controlled firms are authorized to acquire or lease properties and rights in Japan in accordance with Japanese law, except that acquisition by such persons of property interests and rights in the following categories from Japanese nationals, from firms in which Japanese nationals or firms have a proprietary interest, or from Japanese Government agencies, will be void unless validated by the Japanese Government:

(1) Acquisition of title to stocks and shares excepting, however, acquisitions which create additional assets for the juridical person concerned.

(2) Acquisition of title to land and/or residence for business purposes, and to commercial and industrial buildings and installations, and plant and facilities attached thereto. (Land and residences reasonably required by an individual for his full or part-time residence are not considered business properties.)

(3) Leases for periods in excess of five years, mortgages or other hypothecations, and arrangements or options for future acquisition of properties in the categories indicated in paragraph 26a (1) and (2).

(4) Acquisition of patents of Japanese origin and rights thereunder.

(5) (a) Acquisition of rights to a proportion of the profits, sales, sales price, or output of an enterprise for a period in excess of one year by transfer of patent rights or technology; continuing technical or factory management assistance agreements; patent license agreements or otherwise.

(b) Acquisition of rights to a specified periodical payment covering a period in excess of one year, as consideration for transfer of patent rights or technology; continuing technical or management assistance agreements; patent license agreements or similar contracts.

AG 014.331 (Apr. 12, 1950) ESS

By command of Lieutenant General Ridgeway:

DOYLE O. HICKEY,
Major General, General Staff Corps,
Acting Chief of Staff.

[SEAL] WM. E. BERGIN,
Major General, U. S. Army,
Acting Adjutant General.

[F. R. Doc. 51-7105; Filed, June 20, 1951; 8:52 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

CALIFORNIA

CLASSIFICATION ORDER

JUNE 8, 1951.

1. Pursuant to the authority delegated to me by the Director, Bureau of Land Management, by Order No. 427 dated August 16, 1950, I hereby classify under the Small Tract Act of June 1, 1938 (52 Stat. 609), as amended July 14, 1945 (59 Stat. 467, 43 U. S. C. 682a), as hereinafter indicated, the following-described land in the Los Angeles, California, land district, embracing approximately 800 acres.

CALIFORNIA SMALL TRACT CLASSIFICATION NO. 278

For lease and sale for homesites only:

T. 4 N., R. 3 W., S. B. M.:
Sec. 9, NE¼,
Sec. 10, NW¼,
Sec. 11, W½,
Sec. 17, E½E½.

The lands are situated in San Bernardino County, California, in a desert area known locally as Apple Valley. They are in an area that is being developed extensively for desert homesites. The lands are generally level, are easily accessible, and are considered to be one of the most desirable areas for homesite development. The nearest town that possesses all of the usual community services is Victorville, California, approximately 12 miles distant from the lands.

2. As to applications regularly filed prior to 3:12 p. m., April 30, 1946, and are for the type of site for which the land is classified, this order shall become effective upon the date it is signed.

3. As to the land not covered by applications referred to in paragraph 2, this order shall not become effective to permit leasing under the Small Tract Act until 10:00 a. m., August 10, 1951. At that time such land shall, subject to valid existing rights, become subject to application as follows:

(a) Ninety-day preference period for qualified veterans of World War II from 10:00 a. m., August 10, 1951, to close of business on November 8, 1951.

(b) Advance period for veterans' simultaneous filings from 3:12 p. m., April 30, 1946, to 10:00 a. m., August 10, 1951.

4. Any of the land remaining unappropriated shall become subject to application under the Small Tract Act by the public generally, commencing at 10:00 a. m., November 9, 1951.

(a) Advance period for simultaneous non-preference filings from 3:12 p. m., April 30, 1946, to 10:00 a. m., November 9, 1951.

5. Applications filed within the periods mentioned in paragraphs 3 (b) and 4 (a) will be treated as simultaneously filed.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their application by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

6. All of the land will be leased in tracts of approximately five acres, each being approximately 330 by 660 feet, the longer dimension to extend north and south.

7. Preference right leases referred to in paragraph 2 will be issued for the land described in the application irrespective of the direction of the tract, provided the tract conforms to or is made to conform to the area and the dimension specified in paragraph 6.

8. Where only one five-acre tract in a ten-acre subdivision is embraced in a preference right application, an application for the remaining five-acre tract extending in the same direction will be accepted in order to fill out the subdivision notwithstanding the direction specified in paragraph 6.

9. Leases will be for a period of three years at an annual rental of $5.00 payable for the entire lease period in advance of the issuance of the lease. Leases will contain an option to purchase clause at the appraised value of $20.00 per acre for the lands in Secs. 9, 10, and 11, and $15.00 per acre for the lands in Sec. 17, application for which may be filed during the term of the lease but not more than 30 days prior to the expiration of one year from the date of the lease issuance.

10. Tracts will be subject to rights-of-way not exceeding 33 feet in width along or near the edges thereof for road purposes and public utilities. Such rights-of-way may be utilized by the Federal Government, or the State, County, or municipality in which the tract is situated, or by any agency thereof. The rights-of-way may, in the discretion of the authorized officer of the Bureau of Land Management, be definitely located prior to the issuance of the patent. If not so located, they may be subject to location after patent is issued.

11. All inquiries relating to these lands should be addressed to the Manager, Land Office, Los Angeles, California.

L. T. HOFFMAN,
Regional Administrator.

[F. R. Doc. 51-7118; Filed, June 20, 1951; 8:56 a. m.]

ALASKA

PUBLIC SALE ACT, CLASSIFICATION NO. 2

JUNE 14, 1951.

Pursuant to the authority delegated to me by the Director, Bureau of Land Management, by Order No. 427, § 2.70, dated August 16, 1950, and by 43 CFR 75.26 (a), 15 F. R. 2841, the following described lands in the East Addition, Anchorage Townsite, are classified for disposal under the Alaska Public Sale Act of August 30, 1949 (63 Stat. 679, 48 U. S. C. 364a-364e), for commercial and/or industrial purposes:

Tract A: Beginning at a point 300' north of the southwest corner of Block 42, thence 140' south, thence 207.86' east, thence 140' north, thence 207.86' west to the point of beginning;

Tract B: Beginning at the southwest corner Block 42, thence 207.86' east, thence 140' north, thence 207.86' west, thence 140' south to the point of beginning;

Tract C: Beginning at a point 300' north of southeast corner Block 41, thence 150' west, thence 140' south, thence 150' east, thence 140' north to the point of beginning;

Tract D: Beginning at a point 300' north and 150' west of southeast corner Block 41, thence 150' west, thence 140' south, thence 150' east, thence 140' north to the point of beginning;

Tract E: Beginning at a point 150' west of the southeast corner of Block 41, thence 140' north, thence 150' west, thence 140' south, thence 150' east to the point of beginning;

Tract F: Beginning at the southeast corner Block 41, thence 140' north, thence 150' west, thence 140' south, thence 150' east to the point of beginning;

Tract G: Beginning at a point 300' north and 150' east of the southwest corner Block 41, thence 140' south, 150' east, thence 140' north, thence 150' west to the point of beginning;

Tract H: Beginning at a point 300' north of the southwest corner Block 41, thence 140' south, thence 150' east, thence 140' north, thence 150' west to the point of beginning;

Tract I: Beginning at the southwest corner Block 41, thence 150' east, thence 140' north, thence 150' west, thence 140' south to the point of beginning;

Tract J: Beginning at a point 150' east of the southwest corner Block 41, thence 150' east, thence 140' north, thence 150' west, thence 140' south to the point of beginning;

Tract K: Beginning at the northeast corner Block 32, thence 150' west, thence 140' south, thence 150' east, thence 140' north, to the point of beginning;

Tract L: Beginning at a point 150' west of the norteast corner Block 32, thence 150' west, thence 140' south, thence 150' east, thence 140' north to the point of beginning;

Tract M: Beginning at a point 300' south and 150' west of the northeast corner Block 32, thence, 140' north, thence 150' west, thence 140' south, thence 150' east to the point of beginning;

Tract N: Beginning at a point 300' south of the northeast corner Block 32, thence 140' north, thence 150' west, thence 140' south, thence 150' east, to the point of beginning;

Tract O: Beginning at a point 150' east of the northwest corner Block 32, thence 140' south, thence 150' east, thence 140' north, thence 150' west to the point of beginning.

Tract P: Beginning at the northwest corner of Block 32 thence 140' south, thence 150' east, thence 140' north, thence 150' west to the point of beginning;

Tract Q: Beginning at a point 300' south of the northwest corner Block 32, thence 150' east, thence 140' north, thence 150' west, thence 140' south to the point of beginnning;

Tract R: Beginning at a point 300' south and 150' east of the northwest corner Block 32, thence 150' east, thence 140' north, thence 150' west, thence 140' south to the point of beginning;

Tract S: Beginning at a point 300' nor and 150' east of the southwest corner Bl 32, thence 140' south, thence 150' east, then 140' north, thence 150' west to the point of beginning;

Tract T: Beginning at a point 300' north of the southwest corner Block 32, thence 140' south, thence 150' east, thence 140' north, thence 150' west to the point of beginning;

Tract U: Beginning at the southwest corner of Block 32, thence 150' east, thence 140' north, thence 150' west, thence 140' south to the point of beginning;

Tract V: Beginning at a point 150' east of the southwest corner Block 32, thence 150' east, thence 140' north, thence 150' west, thence 140' south to the point of beginning.

Tracts A and B contain 29,100 square feet and Tracts C through V contain 21,000 square feet. The above descriptions are according to the plat of Anchorage Townsite and additions approved December 19, 1917. All distances, direction, and area measurements are approximate.

The above lands will be offered for sale in accordance with regulations contained in 43 CFR 75.32. If no bid at the minimum acceptable price or above is made, the land may be held for future offering or the classification may be rescinded.

LOWELL M. PUCKETT,
Regional Administrator.

[F. R. Doc. 51-7087; Filed, June 20, 1951; 8:45 a. m.]

ORDER OF MAY 2, 1951, COVERING MODIFICATION OF STOCK DRIVEWAY WITHDRAWAL NO. 188, WYOMING NO. 31; CORRECTED

By virtue of the authority contained in section 10 of the act of December 29, 1916, 39 Stat. 865 (43 U. S. C. 300) and in accordance with Departmental Order No. 2583, sec. 2.22 (a) of August 16, 1950 (15 F. R. 5643), it is ordered as follows:

The township and range contained in the land description in the second paragraph of the order of May 2, 1951, covering the modification of Stock Driveway Withdrawal No. 188, Wyoming No. 31, should be changed to read T. 34 N., R. 84 W., instead of R. 84 E., as shown in that order.

WILLIAM ZIMMERMAN, Jr.,
Associate Director.

[F. R. Doc. 51-7117; Filed, June 20, 1951; 8:56 a. m.]

DEPARTMENT OF COMMERCE

Federal Maritime Board

OSAKA SHOSEN KAISHA, LTD., ET AL.

NOTICE OF AGREEMENTS FILED FOR APPROVAL

Notice is hereby given that the following described agreements have been filed with the Board for approval pursuant to section 15 of the Shipping Act, 1916, as amended.

Agreement 7823, between Osaka Shosen Kaisha, Ltd. and Shinnihon Steamship Co., Ltd., covers the establishment and maintenance of a joint cargo and limited passenger service under the trade name "OSK-Shinnihon New York Line" in the trade between Japan, Philippines, and Pacific, Atlantic and Gulf Coast ports of United States, but not including transportation within the purview of the coastwise laws of the United States. The joint service may participate in conference or other agreements as a single party only, being represented by Osaka Shosen Kaisha, Ltd.

Agreement 7860-5, between the member lines of the Swiss/North Atlantic Freight Conference, modifies the basic agreement of that Conference (No. 7860) to provide that the maximum commission to the members' regular Swiss Agents shall be 1 percent of the net ocean freight on gold shipments and 5 percent of the net ocean freight on all other cargo. The basic agreement presently provides that the maximum commission shall be 5 percent of the net ocean freight on all cargo.

Interested parties may inspect these agreements and obtain copies thereof at the Regulation Office, Federal Maritime Board, Washington, D. C., and may submit, within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to either of the agreements and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: June 18, 1951.

By order of the Federal Maritime Board.

[SEAL] A. J. WILLIAMS,
Secretary.

[F. R. Doc. 51-7120; Filed, June 20, 1951; 8:57 a. m.]

[Docket No. M-34]

PRUDENTIAL STEAMSHIP CORP.

NOTICE OF HEARING ON APPLICATION TO BAREBOAT CHARTER GOVERNMENT-OWNED, WAR-BUILT, DRY-CARGO VESSELS

Pursuant to section 3, Public Law 591, 81st Congress, notice is hereby given that an informal public hearing will be held at Washington, D. C., on June 28, 1951, at 10 o'clock a. m., e. d. s. t., in Room 4823 Department of Commerce Building, before Examiner F. J. Horan, upon the application of Prudential Steamship Corporation to bareboat charter two Victory-type vessels for use in applicant's berth service between United States Atlantic-Gulf ports and ports in the Mediterranean (including Morocco, Algiers, Italy, Greece, Turkey, Syria, Israel, Egypt, and Trieste).

The purpose of the hearing is to receive evidence with respect to whether the service for which such vessels are proposed to be chartered is required in the public interest and would not be adequately served without the use therein of such vessels, and with respect to the availability of privately owned American-flag vessels for charter on reasonable conditions and at reasonable rates for use in such service.

All persons having an interest in such application will be given an opportunity to be heard if present.

The parties may have oral argument before the examiner immediately following the close of the hearing, in lieu of briefs, and the examiner will issue a recommended decision. Parties may have seven (7) days within which to file exceptions to or memoranda in support of the examiner's recommended decision, but the Board reserves the right to determine whether oral argument on exceptions will be granted and whether briefs in connection therewith will be received.

Dated: June 14, 1951.

By order of the Federal Maritime Board.

[SEAL] A. J. WILLIAMS,
Secretary.

[F. R. Doc. 51-7121; Filed, June 20, 1951; 8:57 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division

[Administrative Order 413]

SPECIAL INDUSTRY COMMITTEE NO. 10 FOR PUERTO RICO

ACCEPTANCE OF RESIGNATION AND APPOINTMENT OF NEW MEMBER

Pursuant to authority vested in me under the Fair Labor Standards Act of 1938, as amended (52 Stat. 1060, as amended; 29 U. S. C. 201), I, Wm. R. McComb, Administrator of the Wage and Hour Division, United States Department of Labor, hereby accept the resignation of Nicolas Nogueras-Rivera, as an employee member of Special Industry Committee No. 10 for Puerto Rico, and appoint to serve on said Committee in his stead as employee member, Pedro A. Perez of San Juan, Puerto Rico.

Signed at Washington, D. C., this 12th day of June 1951.

WM. R. MCCOMB,
Administrator,
Wage and Hour Division.

[F. R. Doc. 51-7107; Filed, June 20, 1951; 8:53 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 7334, 7335, 9448]

LUBBOCK COUNTY BROADCASTING CO. ET AL.

ORDER SCHEDULING ORAL ARGUMENT

In re applications of Lubbock County Broadcasting Company, Lubbock, Texas,

Docket No. 7334, File No. BP–4062; Plains Radio Broadcasting Company (KFYO), Lubbock, Texas, Docket No. 7335, File No. BP–4391; for construction permits; Lubbock County Broadcasting Company (KVLU), Lubbock, Texas, for modification of construction permit; Docket No. 9448, File No. BMP–3124.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 13th day of June 1951;

The Commission having under consideration the initial decision in the above-entitled proceeding, released December 1, 1950; the exceptions and requests for oral argument filed; a petition for leave to amend its application filed by Lubbock County Broadcasting Company; and oppositions to the petition for leave to amend filed by Plains Radio Broadcasting Company and the General Counsel of the Commission; and

It appearing, that upon review of this proceeding and the issues raised in the foregoing pleadings, the Commission can best dispose of said issues after hearing oral argument thereon by the participants; and that therefore the proceeding should be scheduled for oral argument and the participants afforded an opportunity to address themselves not only to the Initial Decision and the exceptions thereto, but also to the issues raised in the foregoing pleadings;

Accordingly, it is ordered, That oral argument in this proceeding is scheduled for August 3, 1951, commencing at 3:30 p. m.; and that the participants herein are afforded an opportunity to address themselves not only to the initial decision and the exceptions filed thereto, but also to the issues raised by the foregoing pleadings.

Released: June 15, 1951.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51–7112; Filed, June 20, 1951; 8:54 a. m.]

[Docket No. 9189]

HUSH-A-PHONE CORP. ET AL.

ORDER SCHEDULING ORAL ARGUMENT

In the matter of Hush-A-Phone Corporation and Harry C. Tuttle, complainants v. American Telephone and Telegraph Company, et al., defendants; Docket No. 9189.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 13th day of June 1951;

The Commission having under consideration its initial decision herein, the exceptions thereto, and the reply briefs to such exceptions, filed by the participants;

It appearing, that while none of the participants has on its own account requested oral argument, because of the nature of the proceeding, oral argument should be held before the Commission en banc;

It is ordered, Pursuant to § 1.853 (c) of the rules and regulations, that oral argument here is scheduled for July 27, 1951, beginning at 2:30 p. m.

Released: June 15, 1951.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51–7110; Filed, June 20, 1951; 8:54 a. m.]

[Docket Nos. 9675, 9676]

NORTH PLAINS BROADCASTING CORP. (KDDD) AND NEW-TEX BROADCASTING

ORDER SCHEDULING ORAL ARGUMENT

In re applications of North Plains Broadcasting Corporation (KDDD), Dumas, Texas, Docket No. 9675, File No. BP–7256; Wallace Simpson and H. S. Boles, d/b as New-Tex Broadcasting, Clovis, New Mexico, Docket No. 9676, File No. BP–7538; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 13th day of June 1951;

The Commission having under consideration the initial decision in the above-entitled proceeding, released April 17, 1951; the exceptions and requests for oral argument filed; the petition for severance and grant filed May 21, 1951, by New-Tex Broadcasting; the opposition to the petition for severance and grant filed June 5, 1951, by North Plains Broadcasting Corporation (KDDD); the motion to strike the above opposition filed June 8, 1951, by New-Tex Broadcasting; and the response to the motion to strike filed June 12, 1951, by North Plains Broadcasting Corporation (KDDD); and

It appearing, that upon review of this proceeding and the issues raised in the foregoing pleadings, the Commission can best dispose of said issues after hearing oral argument thereon by the participants; and that therefore the proceeding should be scheduled for oral argument and the participants afforded an opportunity to address themselves not only to the initial decision and the exceptions thereto, but also to the issues raised in the foregoing pleadings;

Accordingly, it is ordered, That oral argument in this proceeding is scheduled for August 3, 1951, commencing at 2:00 p. m.; and that the participants herein are afforded an opportunity to address themselves not only to the initial decision and the exceptions filed thereto, but also to the issues raised by the foregoing pleadings.

Released: June 15, 1951.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51–7113; Filed, June 20, 1951; 8:54 a. m.]

[Docket Nos. 9742, 9824]

SKY WAY BROADCASTING CORP. AND STEPHEN H. KOVALAN

ORDER SCHEDULING ORAL ARGUMENT

In re applications of Sky Way Broadcasting Corporation, Columbus, Ohio, Docket No. 9742, File No. BP–7655; Stephen H. Kovalan, Wellston, Ohio, Docket No. 9824, File No. BP–7879; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 13th day of June 1951;

The Commission having under consideration the initial decision in the above-entitled proceeding, released February 26, 1951; the exceptions and requests for oral argument filed; the "Reply to Exceptions, and in the Alternative, Petition to Reopen Record and Other Relief," filed by Sky Way Broadcasting Corporation; the "Opposition of the General Counsel to Petition to Reopen Record and Other Relief"; and the reply to the opposition of the General Counsel filed by Sky Way; and

It appearing, that upon review of this proceeding and the issues raised in the foregoing pleadings, the Commission can best dispose of said issues after hearing oral argument thereon by the participants; and that therefore the proceeding should be scheduled for oral argument and the participants afforded an opportunity to address themselves not only to the initial decision and the exceptions thereto, but also to the issues raised in the foregoing pleadings;

Accordingly, it is ordered, That oral argument in this proceeding is scheduled for July 16, 1951, commencing at 3:00 p. m.; that the participants herein are afforded an opportunity to address themselves not only to the initial decision and the exceptions filed thereto, but also to the issues raised by the foregoing pleadings.

Released: June 15, 1951.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51–7111; Filed, June 20, 1951; 8:54 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G–1440]

LOUISIANA NEVADA TRANSIT CO.

NOTICE OF APPLICATION TO AMEND CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

JUNE 15, 1951.

Take notice that Louisiana Nevada Transit Company (Applicant), a Nevada corporation with its principal place of business at Ada, Oklahoma, filed on June 1, 1951, an application for amendment and modification as hereinafter set forth of the certificate of public convenience and necessity heretofore granted it by the findings and order of the Federal Power Commission issued September 19, 1950 (Docket No. G–1440), or, in the alternative, for a certificate

of public convenience and necessity authorizing Applicant to sell and deliver additional natural gas as hereinafter set forth.

Applicant proposes to increase the amount of natural gas to be made available to the City of De Queen, Arkansas, from 3000 Mcf per day as previously authorized by the Commission (Docket No. G–1440) to 5000 Mcf per day. Under an agreement entered into on April 12, 1951, the City of De Queen proposes to sell and deliver up to 2,000 Mcf per day of natural gas to the City of Mena, Arkansas, which in turn will construct a compressor station and a pipeline from a point near the City of De Queen on the latter's pipeline to the City of Mena for ultimate distribution of up to 2,000 Mcf per day to its customers.

Applicant will construct no new facilities.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR or 1.10) on or before the 5th day of July 1951. The application is on file with the Commission for public inspection.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 51–7091; Filed, June 20, 1951; 8:50 a. m.]

[Docket No. G–1700]

HOPE NATURAL GAS CO.

NOTICE OF APPLICATION

JUNE 15, 1951.

Take notice that on June 4, 1951, Hope Natural Gas Company (Applicant), a West Virginia corporation having its principal place of business at Clarksburg, West Virginia, filed an application with the Federal Power Commission pursuant to section 7 (b) of the Natural Gas Act for permission and approval to abandon and remove in part, and relocate in part the following described natural gas facilities:

(A) Facilities to be abandoned and removed:

(Compressor units)

1. 1—750 hp. gas engine unit (Bridgeport Station).
2. 2—80 hp. gas engine units (Bristol Station).
3. 6—250 hp. gas engine units (Craig Station).
4. 1—400 hp. gas engine unit (Hawkins Station).
5. 2—60 hp. gas engine units (Hawkins Station).
6. 2—60 hp. gas engine units (Jack Evans Station).
7. 2—300 hp. gas engine units (Lightsburn Station).
8. 2—165 hp. gas engine units (McMillan Station).
9. 1—650 hp. gas engine unit (Milford Station).
10. 4—400 hp. was engine units (Peora Station).
11. 6—80 hp. gas engine units (Salem Station).
12. 1—180 hp. gas engine unit (Salem Station).
13. 2—200 hp. gas engine unit (Ward Station).
14. Auxiliary equipment and buildings at: Brinkmier Station, Marshall County, W. Va.; Bristol Station, Harrison County, W. Va.; Hawkins Station, Marion County, W. Va.; Jack Evans Station, Roane County, W. Va.; Lightburn Station, Harrison County, W. Va.; McMillan Station, Doddridge County, W. Va.; Milford Station, Harrison County, W. Va.; Peora Station, Harrison County, W. Va.; Salem Station, Harrison County, W. Va.; Ward Station, Lewis County, W. Va.; Wolf Summit Station, Harrison County, W. Va.

(B) Facilities to be removed and relocated:

1. 1—470 hp. gas engine compressor unit (Brinkmier Station) to be relocated at Bridgeport Station.
2. 2—470 hp. gas engine compressor units (Wolf Summit Station) to be relocated at Craig Station.

(C) Facilities to be removed and stored for future use:

1. 1—470 hp. gas engine compressor unit (Milford Station).
2. 1—200 hp. gas engine compressor unit (Ward Station).
3. 1—165 hp. gas engine compressor unit (Ward Station).
4. 1—80 hp. gas engine compressor unit (Ward Station).

Applicant states that as a result of proposed abandonments and relocations, (1) it will eliminate operating costs and maintenance of the facilities affected, (2) there will be no abandonment or curtailment of any service either in Applicant's own production, purchases from others or in the sales of gas in intrastate or interstate business, and (3) it will be to the best interest of Applicant and customers.

Applicant further describes accounting entries covering these proposed abandonments, which abandonments have an original cost on the books of the company in the amount of $750,944.80.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 5th day of July 1951. The application is on file with the Commission for public inspection.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 51–7090; Filed, June 20, 1951; 8:49 a. m.]

[Docket No. G–1701]

NEW YORK STATE NATURAL GAS CORP.

NOTICE OF APPLICATION

JUNE 15, 1951.

Take notice that on June 4, 1951, New York State Natural Gas Corporation (Applicant), a New York corporation, address, New York City, New York, filed an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of a 6,600 horsepower compressor station to be known as Applicant's Ithaca Compressor Station and to be located along an existing 20-inch pipeline of Applicant in the Town of Dryden, Tompkins County, New York; and approximately 35.2 miles of 20-inch loop pipeline paralleling Applicant's existing pipeline and extending north from the proposed Ithaca Compressor Station to a proposed compressor station to be known as Therm City Compressor Station and to be constructed in 1953 at a point in Onondaga County, New York.

Applicant proposes the construction and operation of the facilities hereinbefore described in order to provide additional pipeline capacity to assure the delivery at Therm City, Auburn, Albany, and intermediate points in New York of the estimated future gas requirements of Applicant's customers. Applicant proposes to install 3,300 horsepower in the proposed Ithaca Compressor Station in 1951, 1,100 horsepower in 1952, and the remaining 2,200 horsepower in 1953. Construction of the proposed loop pipeline will be made in 1953.

The total overall cost of the proposed facilities is estimated to be $3,620,500.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 5th day of July 1951. The application is on file with the Commission for public inspection.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 51–7089; Filed, June 20, 1951; 8:49 a. m.]

[Docket No. G–1705]

PANHANDLE EASTERN PIPE LINE CO.

NOTICE OF APPLICATION

JUNE 15, 1951.

Take notice that on June 11, 1951, Panhandle Eastern Pipe Line Company (Applicant), a Delaware corporation with its principal office at Kansas City, Missouri, filed an application for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of the following described natural-gas facilities:

(1) 2,000-hp. compressor unit with appurtenant facilities and piping at Tuscola Compressor Station.

(2) 2—2,000 hp. compressor units with appurtenant facilities and piping at Edgerton Compressor Station.

(3) 6.56-miles of 26-inch O. D. steel welded loop pipeline parallel to present facilities beginning at a point near Main Line Gate Setting No. 206, 49.1-miles east of Houstonia Compressor Station, and terminating at a point near Main Line Gate Setting No. 207.

(4) 7.24-miles of 30-inch O. D. steel welded loop pipeline parallel to present facilities beginning at a point near Main Line Gate Valve Setting No. 208, 61.5-miles northeast of Zionsville Compressor Station, and terminating at a point near Main Line Gate Valve Setting No. 209.

(5) 18.2-miles of 26-inch O. D. steel welded loop pineline parallel to present facilities beginning at the discharge side of Edgerton Compressor Station and terminating at a point near Main Line Gate Valve Setting No. 202.

Applicant states that from operating experience certain modifications and minor additions are required to be made in and to facilities originally certificated in Docket No. G-876; that in order to achieve the full capacity contemplated by the certificate in Docket No. G-876, it will be necessary to install the compressor units and facilities described above, the compressor units being in lieu of (a) 1—1,600-hp. compressor unit and appurtenant facilities certificated for Tuscola Compressor Station and (b) 2—1,600-hp. compressor units and appurtenant facilities certificated for Edgerton Compressor Station.

Estimated over-all capital cost of the facilities is $3,085,500, which will be financed from funds on hand.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 5th day of July 1951. The application is on file with the Commission for public inspection.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 51-7092; Filed, June 20, 1951; 8:50 a. m.]

HOUSING AND HOME FINANCE AGENCY

Office of the Administrator

[Temporary Order 4, Amdt. 4]

COMMISSIONER, COMMUNITY FACILITIES AND SPECIAL OPERATIONS AND DIRECTOR, PREFABRICATED HOUSING LOANS

DELEGATION OF AUTHORITY WITH RESPECT TO RELEASE OR SUBSTITUTION OF ANY COLLATERAL

1. *Delegation of authority.* The Commissioner, Community Facilities and Special Operations, and the Director, Prefabricated Housing Loans, each is hereby authorized, on behalf of the Housing and Home Finance Administrator, to consent to and to effect the release or substitution, or both, of any collateral, and to sign documents effecting or evidencing such release or substitution, or both, provided that the said Commissioner or Director determines that such action will not materially affect adversely the interests of this Agency.

2. *Withdrawal.* The notice of the specific delegation to the Agency Accounting Officer and to the Assistant Agency Accounting Officer of authority to approve vouchers for the disbursement of funds to participating banks under Bank Participation Agreements and to the Reconstruction Finance Corporation in adjustment and settlement of transferred loans and funds (in connection with the Prefabricated Housing Loan Program), published in the FEDERAL REGISTER on February 7, 1951 (16 F. R. 1157), as Amendment 2 of Temporary Order 4 (though actually Amendment No. 3), is hereby withdrawn, it being determined that no express delegation of authority to said officers to take such actions is necessary under Temporary Order No. 4 (15 F. R. 6035, September 7, 1950), any amendment thereof or any other issuance.

The Administrator's Temporary Order No. 4, effective September 7, 1950, 15 F. R. 6035 (1950), as previously amended, is hereby amended to the extent of this delegation and change but in no other respect.

(Reorg. Plan No. 3 of 1947, 61 Stat. 954 (1947); 62 Stat. 1268, 1283-85 (1948) as amended, 12 U. S. C., 1946 ed. Supp. III 1701c; 63 Stat. 413, 4440 (1949), as amended, 12 U. S. C., 1946 ed. Supp. III 1701d-1; Pub. Law 475, 81st Cong., 2d sess., sec. 503 (1) (Apr. 20, 1950); Reorg. Plan No. 23 of 1950, 15 F. R. 4366 (1950))

Effective as of the 13th day of April 1951.

RAYMOND M. FOLEY,
Housing and Home Finance Administrator.

[F. R. Doc. 51-7100; Filed, June 20, 1951; 8:52 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 26173]

PAPER LABELS FROM AND TO POINTS IN SOUTHWEST

APPLICATION FOR RELIEF

JUNE 18, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for carriers parties to his tariffs I. C. C. Nos. 3905 and 3928.

Commodities involved: Paper articles, viz: labels, carloads.

From, to, and between points in southwestern territory.

Grounds for relief: Circuitous routes, market competition, and to maintain grouping.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3928, Supp. 9; D. Q. Marsh's tariff I. C. C. No. 3905, Supp. 31.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 51-7102; Filed, June 20, 1951; 8:52 a. m.]

[4th Sec. Application 26174]

ALCOHOL FROM NEW ORLEANS AND PORT CHALMETTE, LA. TO CERTAIN STATES

APPLICATION FOR RELIEF

JUNE 18, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for Chicago, Rock Island and Pacific Railroad Company and other carriers named in the application, pursuant to fourth-section order No. 16101.

Commodities involved: Alcohol and neutral spirits, carloads.

From: New Orleans and Port Chalmette, La.

To: Cincinnati, Ohio, Terre Haute, Ind., St. Louis, Mo., Peoria, Pekin, and East St. Louis, Ill.

Grounds for relief: Circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 51-7103; Filed, June 20, 1951; 8:52 a. m.]

[4th Sec. Application 26175]

GRAIN FROM MISSOURI AND KANSAS TO TEXAS PORTS

APPLICATION FOR RELIEF

JUNE 18, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for The Atchison, Topeka and Santa Fe Railway Company and other carriers named in the application.

Commodities involved: Grain and grain products, carloads.

From: Kansas City, Mo.-Kans., St. Joseph, Mo., Atchison and Leavenworth, Kans.

To: Texas ports (for export).

Grounds for relief: Competition with rail carriers, circuitous routes, and to maintain grouping.

Schedules filed containing proposed rates: AT&SF RY. tariff I. C. C. No. 14530, Supp. 18; CRI&P RY. tariff I. C. C. No. C-13346, Supp. 19.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-7104; Filed, June 20, 1951; 8:52 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 7-1312]

ALUMINUM CO. OF AMERICA

NOTICE OF APPLICATION FOR UNLISTED TRADING PRIVILEGES, AND OF OPPORTUNITY FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 15th day of June A. D. 1951.

The Pittsburgh Stock Exchange, pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 thereunder, has made application for unlisted trading privileges in the Common Stock, No Par Value, of Aluminum Company of America, a security listed and registered on the New York Stock Exchange.

Rule X-12F-1 provides that the applicant shall furnish a copy of the application to the issuer and to every exchange on which the security is listed or already admitted to unlisted trading privileges. The application is available for public inspection at the Commission's principal office in Washington, D. C.

Notice is hereby given that, upon request of any interested person received prior to July 2, 1951, the Commission will set this matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-7093; Filed, June 20, 1951; 8:50 a. m.]

[File No. 70-2634]

GENERAL PUBLIC UTILITIES CORP.

SUPPLEMENTAL ORDER GRANTING AUTHORITY TO ISSUE AND SELL ADDITIONAL SHARES OF COMMON STOCK BY ISSUANCE OF SUBSCRIPTION WARRANTS TO COMMON STOCKHOLDERS

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 14th day of June 1951.

General Public Utilities Corporation ("GPU"), a registered holding company, having filed an application-declaration, with amendments thereto, under the Public Utility Holding Company Act of 1935 ("act") with respect to the issuance and sale of 504,657 additional shares of common stock pursuant to a subscription rights offering and with respect to the acquisition or rights and the acquisition and sale of GPU common stock for the purposes of stabilizing the market prices of such rights and stock, all as more fully set forth in Holding Company Act Release No. 10599; and

The Commission by order dated June 5, 1951, having granted and permitted to become effective said application-declaration, as amended, except that the proposed transactions were not to be consummated until certain specified information had been filed by further amendment and made a matter of record in this proceeding and a further order issued, for which purpose jurisdiction was reserved; and

Jurisdiction also having been reserved in said order of June 5, 1951, with respect to any and all fees and expenses incurred or to be incurred in connection with the consummation of the proposed transactions; and

GPU having filed a further amendment to the application-declaration which amendment sets forth: (a) The subscription price, which is to be $16.50 per share; (b) the record date, which is to be June 14, 1951; (c) the duration of the subscription period, which is to commence on June 16, 1951, and expire at 3:00 p. m., e. d. s. t., July 9, 1951; (d) the minimum price of 5 cents per right which GPU will pay to record holders who sell their right to GPU during the period commencing with the date of issuance of the subscription warrants (June 16, 1951) and ending at the close of business on June 29, 1951; (e) the fixed amount of 18 cents per share which is to be added to the closing quoted asked price of the GPU common stock on the preceding business day in order to determine the upper price limit at which the additional common stock not taken up by subscription and the common stock acquired by GPU for stabilization purposes may be acquired and sold by the participating security dealers or others; and (f) the fee (30 cents per share) which GPU will pay to participating dealers who solicit the exercise of subscription warrants: *Provided, however,* That the maximum aggregate fees payable to one or more participating dealers with respect to such solicitation from any single stockholder shall not exceed $250, and the fee (35 cents per share) which GPU will pay to participating dealers and others for acquiring shares of additional common stock not taken up by subscription, and for purchasing shares acquired for stabilization purposes; and

Said amendment also having modified the application-declaration, as heretofore amended, by providing that the price which GPU will pay per right on purchasing rights from the stockholders of record will be the higher of (a) 5 cents per right or (b) the closing quoted price for rights on the New York Stock Exchange on the preceding business day; and

The Commission having examined said amendment and having considered the record herein and finding no reason for imposing terms or conditions with respect to said matter.

It is ordered, That the application-declaration, as further amended, be, and the same hereby is, granted and permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24, and that the jurisdiction heretofore reserved with respect to the information which has been supplied by further amendment be, and the same hereby is, released.

It is further ordered, That jurisdiction be, and the same hereby is, continued with respect to any and all fees and expenses incurred or to be incurred in connection with the proposed transactions, except those proposed to be paid to the participating security dealers and others, as hereinabove set forth.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-7095; Filed, June 20, 1951; 8:51 a. m.]

COSMOPOLITAN HOTEL CO. OF DALLAS, INC.

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 15th day of June A. D., 1951.

Cosmopolitan Hotel Company of Dallas, Inc. (Cosmopolitan) has filed an application under section 6 (c) of the Investment Company Act of 1940 for an order of the Commission exempting such applicant from all provisions of the act.

Cosmopolitan is registered under the act as a non-diversified closed-end management investment company. It was incorporated under the laws of the State of Texas on May 3, 1950, by a committee of the Chamber of Commerce of Dallas, Texas, as a civic venture to obtain a new first-class hotel for the City of Dallas.

Cosmopolitan has outstanding 100 shares of common stock which are owned in 10 share blocks by the ten persons who were members of the Chamber of Commerce committee and who paid $10 per share for the stock. Cosmopolitan proposes to issue debentures bearing interest at the rate of 2 percent in an amount of $1,500,000 and to use the proceeds from the sale thereof to buy an equal amount of debentures bearing the

same interest and having the same maturity to be issued by Statler Dallas Company, Inc., a company organized to construct, own and operate a hotel in the City of Dallas. The debentures of each company have been registered under the Securities Act of 1933 and the indentures under which they are to be issued have been qualified pursuant to the Trust Indenture Act of 1939. The application indicates that Cosmopolitan will have no assets other than the debentures of Statler Dallas Company, Inc. and that all of its expenses will be paid by the Chamber of Commerce of Dallas.

Cosmopolitan is an "investment company" as that term is defined in section 3 (a) (3) of the act in that it will be engaged in the business of owning and holding securities not issued by the United States of America or an instrumentality thereof, an employees' securities company or a majority-owned subsidiary of Cosmopolitan, having a value in excess of 40 percent of the total assets of Cosmopolitan. It therefore is subject to all applicable provisions of the act unless an exemption therefrom is granted under the authority conferred upon the Commission by section 6 (c).

The basis for the application requesting exemption from the provisions of the Investment Company Act is that the primary purpose for the organization of Cosmopolitan was to assist the Chamber of Commerce of Dallas in obtaining a new hotel in that city and that the other activities of the applicant arise in connection with the accomplishment of its primary objective. Consequently, it is alleged that Cosmopolitan was not organized to deal with any one hotel company or to acquire and hold securities. Moreover, it is asserted that Cosmopolitan is a civic entity being in effect an incorporated committee of the Dallas Chamber of Commerce, a non-stock, non-profit corporation, and that Cosmopolitan is itself a non-profit corporation the stock of which was issued to aid a Chamber of Commerce activity as a contribution thereto and no part of the net earnings of Cosmopolitan, if there should be net earnings, would inure to the benefit of any stockholder or other person.

If an application is granted exempting Cosmopolitan from all provisions of the act except sections 8 (b) (1) and (2), 8 (e), 9 (a), 12 (a), 12 (d), 13 (a), 15 (a), 15 (b), 15 (c), 15 (d), 16 (a), 17 (a), 17 (d), 17 (e), 17 (i), 23, 24 (d), 25 (a), 25 (b), 30 (a), 33 (a), 33 (b), 35 (a), 35 (b), 35 (d), 36, 37, and 49, the company would file that portion of the registration statement for management investment companies relating to its fundamental policies and would remain subject to many of the substantive provisions of the act. The Commission would retain authority to take action in the event the company did not file the reports required by the act, certain persons would be ineligible to serve in certain capacities with the company and the investments of the company would be subjected to the limitations imposed by sections 12 (a) and 12 (d). Changes in the investment policy of the company would require a vote of a majority of its outstanding voting securities and the company's investment advisory and underwriting contracts would remain subject to the requirements of the act. The company would also remain subject to the restriction of the act regarding transactions with affiliated persons and underwriters and the distribution and repurchase of its securities. The company would be required to file annual reports and financial statements with the Commission. The Commission would retain its jurisdiction over plans of reorganization and its power to institute proceedings in the event of gross abuse of trust or gross misconduct on the part of the company's officers or directors and the criminal provisions of section 37 and the penalty provisions of section 49 would be applicable.

Notice of the filing of said application has been duly given in the manner and form prescribed in Rule N–5 under the act. The Commission has not received a request for a hearing within the period prescribed in said notice and a hearing does not appear necessary or appropriate in the public interest or for the protection of investors.

Wherefore, the Commission having considered the application finds that the exemption requested is appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Investment Company Act;

It is ordered, therefore, That Cosmopolitan Hotel Company of Dallas, Inc. be and hereby is exempted from all provisions of the act except, insofar as they may be applicable, sections 8 (b) (1) and (2), 8 (e), 9 (a), 12 (a), 12 (d), 13 (a), 15 (a), 15 (b), 15 (c), 15 (d), 16 (a), 17 (a), 17 (d), 17 (e), 17 (i), 23, 24 (d), 25 (a), 25 (b), 30 (a), 33 (a), 33 (b), 35 (a), 35 (b), 35 (d), 36, 37 and 49.

It is further ordered, That the exemption hereby granted shall continue so long as at least 95 percent of the assets of Cosmopolitan Hotel Company of Dallas, Inc. are invested in debentures of Statler Dallas Co., Inc., or until the Commission, pursuant to the jurisdiction hereby reserved and after appropriate notice and opportunity for hearing, deeming it necessary in the public interest and for the protection of investors, shall enter a further order setting aside, modifying or extending the terms of this order.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51–7094; Filed, June 20, 1951; 8:51 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Return Order 987]

CHARLES NICOLLE

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, be returned after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention To Return Published, and Property

Charles Nicolle, Paris, France; Claim No. 29501; May 5, 1951 (16 F. R. 4169); property described in Vesting Order No. 293 (7 F. R. 9836, November 26, 1942) relating to Patent Application Serial No. 206,498 (now United States Letters Patent No. 2,358,246), Patent Application Serial No. 268,442 (now United States Letters Patent No. 2,363,014) and Patent Application Serial No. 293,601. This return shall not be deemed to include the rights of any licensees under the above patents and patent application.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on June 13, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON, *Assistant Attorney General, Director, Office of Alien Property.*

[F. R. Doc. 51–7115; Filed, June 20, 1951; 8:55 a. m.]

[Return Order 994]

GAULT MACGOWAN

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, be returned, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention To Return Published, and Property

Gault MacGowan, La Celle-St. Cloud, Seine et Oise, France; Claim No. 59190; May 15, 1951 (16 F. R. 4518); $4,026.98 in the Treasury of the United States.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on June 15, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON, *Assistant Attorney General, Director, Office of Alien Property.*

[F. R. Doc. 51–7116; Filed, June 20, 1951; 8:55 a. m.]

[Vesting Order 18039]

ELFRIEDE E. KOENIG

In re: Lots and stock owned by Elfriede E. Koenig, nee Schulte. F–28–31465.

Under the authority of the Trading With the Enemy Act, as amended, Ex-

ecutive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Elfriede E. Koenig, nee Schulte, whose last known address is Bahnhofstrasse No. 1, Brilon, Westphalia, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. Lots 8, 9 and 15 in Section "A" Triangle, Calumet Park Cemetery, Crown Point, Indiana, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for refunds, benefits or other payments, arising from the ownership of such property, and

b. Sixty (60) shares of $100 par value capital stock of Calumet Park Cemetery Corporation, Crown Point, Indiana, evidenced by certificates numbered 301 and 9 for forty (40) and twenty (20) shares, respectively, registered in the name of E. E. Schulte, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2–a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2–b hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 12, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51–7071; Filed, June 19, 1951; 8:51 a. m.]